S. HRG. 99-13

NOMINATION

HEARING

BEFORE THE

COMMITTEE ON LABOR AND HUMAN RESOURCES UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON

WILLIAM J. BENNETT, OF NORTH CAROLINA, TO BE SECRETARY, DEPARTMENT OF EDUCATION

JANUARY 28, 1985

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NOMINATION

MONDAY, JANUARY 28, 1985

U.S. SENATE,
COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 1:36 p.m., in room 430, Dirksen Senate Office Building, Senator Orrin G. Hatch (chairman of the committee) presiding.

Present: Senators Hatch, Stafford, Nickles, Denton, Weicker, East, Kennedy, Pell, Eagleton, Matsunaga, and Dodd.

Also present: Senators Simon, Moynihan, and Helms.

OPENING STATEMENT OF SENATOR HATCH

The CHAIRMAN. We are happy to call this meeting of the Labor and Human Resources Committee to order, and we are happy to welcome you, Dr. Bennett, and these two fine Senators accompanying you to our committee.

We meet this afternoon to consider President Reagan's nomination of Dr. William Bennett to be Secretary of Education.

Dr. Bennett is eminently qualified to be the Federal Government's foremost spokesman for education. He has been a university teacher and administrator. He has been the director of an independent educational center. For the past 3 years, Dr. Bennett has been a distinguished Chairman of the National Endowment for the Humanities. In addition to being a doctor of philosophy, he is also a lawyer. We will try not to hold that against you.

During his tenure at the Endowment, Dr. Bennett has been a champion of the educational excellence movement that has swept America. His emphasis has been on teachers, the humanities and high academic standards. Dr. Bennett initiated a highly regarded program of summer seminars in the humanities for secondary school teachers. His support for teachers and teaching was further demonstrated by fellowships for outstanding high school teachers of English, foreign languages and history, and by grants to colleges and universities to improve their programs for future teachers of the humanities. He has consistently sought a return of the literary and philosophical heritage of western civilization to the core of liberal education in America. As the author of "To Reclaim a Legacy," Dr. Bennett reported on the deplorable condition of learning in the humanities in our colleges and universities, and outlined a complete agenda for reform.

I believe that Dr. Bennett agrees with me that there is a proper role for the Federal Government in education. Federal educational programs can be valuable national assets. I am myself an author of

several Federal educational programs and a participant, with my colleagues, on this committee in the reform and development of others. I agree entirely with the oft repeated view that the Federal Government should promote equal access to education and quality in education. This federal role in education is important and should remain important.

However, this role should be modest and should remain modest. Parents must have primary responsibility for choosing the methods and content of their children's education. After parents come local governments and then State governments. This relationship is imperiled whenever Federal educational programs become the 800-pound gorilla. Prior to this administration, Federal educational policy showed a tendency in this direction. Therefore, it is not surprising that many Americans originally viewed with dismay the advent of the Department of Education in 1980.

During his confirmation hearing, Secretary Bell noted that the old Office of Education had been mixed in the Byzantine bureaucracy of the Department of Health, Education, and Welfare, and that for this reason the educational functions should be separated out somehow. I can see merit in a simpler or even a separate organization for Federal educational programs, but I personally see no merit whatsoever in a clone of the now Department of Health and Human Services, a cutting from that tree, a twig meant to grow in power and perplexity to the dimensions of its parent.

So, I am pleased that Dr. Bennett will be at the Department of Education, because I believe that his achievements at the Endowment for the Humanities show him to be an effective administrator with a firm sense of how the Federal Government can help parents and educators improve the education of all of our children. I look forward to seeing the report that President Reagan has requested of him which will consider the feasibility of transforming the current bureaucracy into a proper and productive tool for the Federal role in education. Finally, I look forward to seeing Dr. Bennett in the bully pulpit of education, a position pioneered by Secretary Bell whose efforts in conjunction with the report, "A Nation at Risk," have inspired a national, grassroots movement to improve our schools. In the last several years, Chairman Bennett has been a tireless advocate for the humanities, and I expect that Secretary Bennett will be as ardent an advocate for all of education. Knowing him as I do, I just cannot believe that the President could have chosen a better person to head the Department of Education at this time and to succeed Secretary Bell.

At this time, I will turn to Senator Kennedy.

STATEMENT OF HON. EDWARD M. KENNEDY, A U.S. SENATOR FROM THE STATE OF MASSACHUSETTS

Senator KENNEDY. Thank you very much, Mr. Chairman.

I want to congratulate Dr. Bennett in having the President's confidence in nominating you to this extremely important position. You come here with extremely high qualifications as an educator and as an administrator of an important agency of Government.

The questions that I will have and on which I look forward to your ideas on the leadership of this Department over the period of

these next several years concern the kind of priorities that you are going to give to voicing the importance of education as a matter of public policy. We know, at the present time, there are serious recommendations that are being made by the administration to cut back the access to education, particularly in higher education, to those that would be in the upper middle income or the highest income brackets of our country. I think one of the important opportunities for America is the access to quality education based upon merit and that the financial pockets of one's parents should be as little hindrance as possible in opening up the vistas of opportunity for the kinds of excellence of education such as you yourself have received in a wide, varied educational experience.

We are going to be interested in your strong commitment on access to education to citizens of this country so that education isn't only going to be a reserve for just the privileged or those of one particular group or one section of our society but really be an instrument for opening new paths of opportunity in our society. There have been some questions about your own strong commitment in terms of access and whether you are prepared to comply with, not your own particular views, but whether you are prepared to comply with the various statutory requirements at this time or in the future.

We have a series of laws which are directed toward the needs of minorities, to women's programs, and to others. We want to hear how, given some of the statements that you have made in the past, letters that you have written, whether you are going to be able to actually enforce those particular laws.

We are interested in your own commitment to the Department of Education, how you view that department over the period of the future years, what ideas you have toward insuring the excellence of the quality of education in our universities, in our graduate schools, and also in our elementary and secondary areas of the public school systems which need such attention in our society.

Therefore, I look forward to this hearing. I congratulate you on your nomination, and I look forward to the opportunity of hearing your views on these issues and others.

[The prepared statement of Senator Kennedy follows:]

Statement of Senator Edward M. Kennedy
at a hearing on the
Nomination of William Bennett
to be
Secretary of Education

For Immediate Release:
Monday, January 28, 1985

I appreciate the opportunity to participate in these hearings to consider the nomination of William Bennett to be Secretary of Education. Mr. Bennett comes before this committee with a wealth of credentials as an educator and an administrator.

While Mr. Bennett's qualifications are above reproach, a number of issues must be brought out in today's hearing.

One is the question of leadership. In the last few years, the Secretary of Education has assumed a critical role in guiding our Nation's educational system. We all owe a debt to Terrell Bell for leading the way under the banners of quality and excellence to forge a national agenda to improve education for all children and students. He challenged our teachers, our schools and our parents to restore excellence to education. I hope the new Secretary will be equally dedicated to meeting this challenge.

These are, however, times of difficult budget decisions. Our new Secretary must, in my view, guide us through the budget process keeping in mind the integrity of the Department of Education and the many programs that serve thousands of children, students and adults. I believe that education programs have already been cut too much and I will not support further reductions.

Another area of concern is civil rights and equality of access for the millions of women and minorities who have been denied opportunity because of discrimination. I believe one of the Department's most important responsibilities is to alleviate historical disparities among the races and sexes, to promote greater racial diversity and to foster greater opportunities for the disadvantaged. While the means to achieving these goals have changed over the years, their importance has not diminished.

The Secretary of Education must maintain this commitment and use every means necessary to fulfill these goals.

Finally, I am interested in learning about Mr. Bennett's plans for the Department's programs. I hope Mr. Bennett will follow in the tradition of his predecessors and their commitment to a strong Federal role in promoting excellence and equity in American education.

The CHAIRMAN. Thank you, Senator Kennedy.

Senator Stafford is our chairman of the Education Subcommittee on this committee. Senator Stafford.

STATEMENT OF HON. ROBERT T. STAFFORD, A U.S. SENATOR FROM THE STATE OF VERMONT

Senator STAFFORD. Thank you very much, Mr. Chairman.

I join in the welcome to Dr. Bennett. I congratulate you on your nomination and on the very distinguished Senators you have here to introduce you when we get through talking, an introduction which will hardly be necessary.

I hadn't really anticipated making a statement at this time about the Guaranteed Student Loan Program, but in view of the circumstances, and as many of you are well aware, yesterday's newspapers carried a story detailing the administration's proposals on reducing the cost of the Guaranteed Student Loan Program. I am personally quite concerned about proposals and the confusion it will cause among parents and students, many of whom have seen the Guaranteed Student Loan Program amended five times in the last 6 years.

In 1981, the Congress cut the Guaranteed Student Loan Program significantly, producing savings against the 1981 program of almost $4 billion in the intervening years. Fiscal year 1986 savings against the 1981 program will be an additional $1.525 billion. Since then, every effort to cut the program has been roundly defeated by the Congress because this program is the only one which provides assistance for children from middle income families.

To cap the eligibility for the program at $32,500 or to limit aid per student to $4,000 per year is absolutely ludicrous and will meet with strong opposition from this Senator who would suggest that anyone advocating the elimination of a good portion of middle income families from the Guaranteed Student Loan Program does not understand the purpose of that loan program. Our middle income families have not asked for a free ride from the Federal Government, only limited assistance which the student will repay when leaving school. Without it, a great many students will not be able to attend the school of their choice or, in fact, any school at all.

For those across the country who are worried and anxious about such an income cutoff, and I have already heard from a number across the country and from Vermont, I can only say that the friends of education in the Senate will do everything within our power to keep such a proposal as it is now couched from coming to pass. To paraphrase our President, this apple has been squeezed enough already.

Today, the Committee on Labor and Human Resources meets to consider the nomination of Secretary of Education, the third one in the history of the Nation. The Senate, particularly this Senator, enters into the confirmation process with serious purpose and a sense of high responsibility. Confirmation of Presidential nominations has its basis in the advise and consent powers granted to the Senate in the Constitution of the United States. Regardless of the specific position for which the President nominates an individual,

the exercise of this power must be carried out with due deliberation and reflection.

Yet, the consideration of anyone to become Secretary of Education carries with it added importance. It is more than the mere examination of the credentials of the individual who has been nominated. It is, in the mind of this Senator, an opportunity to reaffirm our conviction that the Secretary of Education plays a pivotal and positive part in influencing the educational destinies of millions of America's children and adults.

Before directing any questions to the Secretary designate, I wish to emphasize certain issues which bear on more than just the nomination of William Bennett; they affect the conduct of educational policy at all levels of Government. First, it is time to terminate the battle over the Department of Education. Congress created the Department and continues to believe not only in its right to exist but in its need to exist. Efforts to eliminate the Department from within or without simply will not succeed. We have better things to fight about.

Second, whereas the fundamental equality of all men and women is the centerpiece of our Declaration of Independence, it is a special trust of the Federal Government to vigilantly protect the equality of all Americans. Therefore, promotion of access to and equality in education is, in my mind, a cornerstone upon which the Federal role in education rests. To the lasting credit of former Secretary Ted Bell, it is the Federal Government which has focused the Nation's attention on educational quality. That campaign must go forward, but it must not continue at the expense of access and equality. To create excellent schools open only to the select few is as wrong as providing equal access for all to mediocre schools. We need policies to provide the best for all our children, not just some of them.

To my mind, our Federal education programs at the elementary, secondary, and postsecondary levels have opened American education to those who have been traditionally excluded, our disadvantaged, handicapped, and minority children. These programs, in this Senator's view, are essential for the future success of our Nation.

Lastly, this Senator could not support a nominee for Secretary of Education who endeavors to destroy the covenant this Government has with its children. The next Secretary of Education must be someone who is committed to education—quality, equality, and excellence for all; who is dedicated to the enhancement of the Department of Education, not its progressive deterioration; and who, while reflective of the President's wishes, is a servant, first and foremost, to the laws which govern this land.

Having said this, I look forward with keen anticipation, Dr. Bennett, to your testimony.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Stafford.

We will turn to our ranking member on the Education Subcommittee, Senator Pell.

STATEMENT OF HON. CLAIBORNE PELL, A U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator PELL. Thank you very much, Mr. Chairman.

I am very glad to be joining in this meeting, welcoming a successor to the very able Ted Bell who did a good job under difficult circumstances.

I have known and liked and worked with Bill Bennett during his tenure as Chairman of the National Endowment for the Humanities. I am impressed with his candid and forthright manner and his personal integrity and ability. I only hope that the nominee to be his successor at the Endowment will possess these same qualities as well.

I would add that I am very glad to have this opportunity to learn of Bill Bennett's views of Federal education programs and policy, and I think the responses will help all of us. In this regard, I am struck by the fact that in the proposals of the administration, almost 1 million students will be either dropped or adversely affected by the cutbacks that are being suggested. In this regard, I support every word that our chairman of the subcommittee, the Senator from Vermont, said, and feel just as strongly as he does that such a procedure should not take place.

I believe each of us here today, too, knows the Federal deficit crisis confronting our Nation is going to affect every Federal program now in place. I can understand there may well arise a situation where we will have to have an across-the-board freeze or even a modest cutback in programs. I could support such a possibility, however, and only if, it is truly across the board and truly fair, which means that defense is included and carries its fair share of the burden as well.

I say this particularly because a vital element of our defense and security is an exceptionally well-educated citizenry. I have long believed that the real strength, defense, security, and health of our Nation depends upon the education and character of our people. That is the basis of my strong advocacy of education throughout my time here in the Senate. To my way of thinking, it makes little sense to spend billions and billions upon defense and then turn around and refuse to spend the money necessary to educate to the maximum the pool of men and women that will provide those who will be asked to run this system.

I look forward to hearing Dr. Bennett, and congratulate you, Mr. Chairman, on organizing this hearing.

The CHAIRMAN. Thank you, Senator Pell.

Dr. Bennett, nobody said this was going to be an easy job.

Senator Denton.

STATEMENT OF HON. JEREMIAH DENTON, A U.S. SENATOR FROM THE STATE OF ALABAMA

Senator DENTON. Thank you, Mr. Chairman.

I humbly add my voice of support for you. I think it is scarcely needed, considering the demonstration evinced by the two gentlemen on your left and right. With that spectrum of support, you hardly need the support of the junior Senator from Alabama. I would have to comment that your appeal and the spectrum of it is

accompanied by versatility, because you have persuaded or, coincidentally, arranged the seating so that the senior Senator from New York is on your right and the senior Senator from North Carolina is on your left. So, aside from scholarship, you present an image of imagination. [Laughter.]

I will keep my remarks brief because those two Senators sitting beside you have but a short time to devote to this, but some remarks have been made that I would feel conscience-stricken not to address, and I will make my remarks brief.

I do agree that the Federal Government has an investment to make in education. I consider education to be an investment, not an arbitrary expenditure, but I am not sure of the degree of the Federal covenant, emphasizing Federal to supply all with education. There ought to be, perhaps, some means test, in my view, considering the budgetary limitations of our time, to the aid referred to by the chairman of the subcommittee, and I have deep respect for his and Senator Pell's experience and views on the issue. Nonetheless, I must mention those reservations. We do have budgetary constraints, indeed, a budgetary crisis. Although I consider education an investment, I believe we must carefully analyze the delineation between the Federal and the State share of education cost and look at the trends in that regard.

That is all I would say except that defense is the principal task of Government. We are mandated to provide for the common defense, to promote the general welfare, and among the factors involved in that promotion is education and it is an important one but not as unlimited as our mandate to provide for the common defense. We are spending twice as much on welfare today as we are spending on defense, whereas in Senator Kennedy's brother's time, we were spending twice as much on defense as on welfare-related, including educational matters. Perhaps because of my profession, I am overconcentrated on that, but I do think it is an arresting and sometimes overlooked fact.

Scholarship should be led by scholars and, by any measure, William Bennett is a scholar. He is an outstanding essayist and thinker and, at last count, holds nine honorary degrees. His leadership at the National Endowment for the Humanities helped create a better climate for the teaching and learning of the humanities. I recently met with him for the first time. I was impressed. I came away convinced that he is a man who knows and cares deeply about both education and this country.

Despite my own views about the appropriate role for the Federal Government in education, I believe with our chairman that the previous Secretary demonstrated without doubt that the office provides a good bully pulpit from which a scholar can support and encourage the educational community and the public. I have confidence that William Bennett will continue this call for excellence in education, both, public and private, get results when at a time when only excellence will do if America is to continue to compete in international markets and match the Soviet Union in terms of technical education. Moreover, I am confident that given his own experience and inclinations, he will not allow us to become complacent about the role of the humanities in any sound educational curriculum. In sum, I think that the President has made a wise choice.

I hope that my colleagues will join me in supporting Dr. Bennett for confirmation.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Denton.

Senator Eagleton.

Senator EAGLETON. I have no opening statement, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Weicker.

Senator WEICKER. I have no statement.

The CHAIRMAN. Thank you so much, Senator.

Senator Matsunaga?

Senator MATSUNAGA. I have no opening statement.

The CHAIRMAN. Senator East?

STATEMENT OF HON. JOHN P. EAST, A U.S. SENATOR FROM THE STATE OF NORTH CAROLINA

Senator EAST. Senator Hatch, I appreciate the opportunity to speak briefly on this. I appreciate the desire to move on quickly, but since some opening statements have been made, I do feel it appropriate that I make a comment or two, if I might, and I appreciate the indulgence of the Chair and the other members of the committee and the two distinguished senior Senators from North Carolina and New York.

I would like to hope that two things would give me a little added perspective here. One is having come from the academic community myself prior to my election to the U.S. Senate in 1980. Also, as a junior Senator from North Carolina, I had a unique opportunity to observe his work at the National Humanities Center in North Carolina where he had an outstanding reputation. It is clear that his educational background is a powerful one in terms of his bachelor's degree from Williams, his Ph.D. from Texas, his J.D. law degree from Harvard, nine honorary degrees, and professorships at six universities. He headed the National Humanities Center, one of the most prestigious centers in America, at least, we in North Carolina think so. He has, since that time, as everyone well knows, been Chairman of the National Endowment for the Humanities.

He has been a young and vigorous educational leader in the United States and, I think, a great blessing not only to the field of education but to the community as a whole. I have tried, as perhaps many educators have, to follow his philosophy with care, and I have made a concerted effort to do that. I would like to enumerate very quickly here the things that I think he brings to this quest for quality, excellence, balance, and openmindedness in education.

He has stressed very much the need, which I think there is a uniform desire for in this country, to return to basics, to fundamentals in education at all levels, elementary, secondary, and higher education, reading, writing, and arithmetic at beginning levels and on up the line. Having taught at the university level as the distinguished senior Senator from New York has, I would like to say I think he has given us a very strongly needed shot in the arm in terms of the need of more of a balance in the kind of education we have been giving our undergraduates, namely, an emphasis upon the liberal arts. This is not to belittle the need for purely technical

applied science. It is to say education at the highest level in American society ought to be based upon a fundamental core of liberal arts education. Increasingly you hear in America today of the irrelevancy of this, the irrelevancy of foreign language, the irrelevancy of philosophy, the irrelevancy of history, the irrelevance of the humanities generally.

The liberal arts, if I might be excused for going on at some little length here, does not mean you are excluding the basics in science, math, biology, chemistry, the fundamentals. That is a whole part of the liberal arts curriculum. However, there is alive and well in America today in many quarters a belief that, for example, a major in history has wasted his time or a major in political science has wasted his time. We have increasingly produced a generation of young people in America that frequently cannot even speak, read and write well the native tongue, to wit, English. We even have quality law schools today in America that must offer remedial courses in English before you can begin the law school curriculum. Something is amiss when that is so.

In addition to that, we have gross ignorance often about the very history, the philosophy, and the cultural background not only of Western society but of societies as a whole throughout the world.

That emphasis lost a great deal of momentum in the 1960's and 1980's, and I, as an educator at that time at the university and college level, deeply regret it. I apologize for going on at some length there, but as one who taught at the college and university levels during the 1960's and 1970's and the early 1980's, I appreciate profoundly and personally as do, I think, many educators including the distinguished Senator from New York the need to get into the Department of Education and at the highest leadership positions in America people who understand that fundamental point. I think Dr. Bennett will bring to the Department of Education an emphasis upon quality, excellence, balance, and openmindedness.

I would add here I do not feel that anyone in any way, shape, or form can extract out of the record, the writings, the comments of Dr. Bennett that we have some sort of political idealogue on our hands. We do not. I think you find here he is a man of very balanced perspective, very openminded, keenly intelligent, and a highly vigorous young man. I think the only thing that will limit the impact that he can have in American education today at all levels are the resources that he has. In defense of him, he will be limited as to what resources he has. I think to attempt to fault him or in any way to undermine the kind of vigor that he will bring to the Department in terms of lack of resources that we can provide, in terms of our budgetary limits, is something beyond his control. However, I will say this: He will get the greatest amount of educational value out of what resources we the Congress and others at the State and local level can provide him.

In conclusion I would like to say I think he is eminently qualified in terms of his credentials, his educational philosophy, and his political philosophy. As a Senator from North Carolina where he formerly resided prior to his coming to Washington, I not only welcome him but I commend him to the Labor Committee and to the U.S. Senate for prompt and I hope, early confirmation.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator East.

Senator Dodd.

Senator DODD. I have no statement, Mr. Chairman.

The CHAIRMAN. We are happy to welcome Senator Simon with us today. Senator, we are happy to welcome you to the committee and would be happy to have you participate, if you like.

Senator SIMON. Thank you. I have no opening statement. I thank you for your generosity in putting up with someone who is not yet a member of your committee.

The CHAIRMAN. Well, we recognize the very effective work you did in the House and we really appreciate the fact that you have taken the time to be with us today. We welcome you and will look forward to any questions that you might want to ask.

Senator SIMON. Thank you.

The CHAIRMAN. At this time, we will place the statement of Senator Grassley in the record and also the statement of Senator Thurmond. Dr. Bennett, both Senators Thurmond and Senator Grassley express their regret that they have to be away from the Hill at this particular time.

[The prepared statements of Senators Grassley and Thurmond follow:]

Chuck Grassley

STATEMENT FOR THE CONFIRMATION OF WILLIAM BENNETT AS
THE SECRETARY OF EDUCATION

CHARLES E. GRASSLEY

Mr. Chairman. It is a pleasure to be here today for the confirmation of William Bennett as the Secretary of Education. I do not think anyone can deny that Mr. Bennett is eminently qualified for this position.

His academic and management credentials speak highly of his ability to faithfully execute the duties of his appointed office. His B.A. and Ph.D. in philosophy combined with his law degree from Harvard provide the necessary framework of understanding for a reasonable and realistic perception of the complex obstacles and an appropriate prescription of the vital opportunities unique to our educational system at this time.

His ability for creative management are apparent in his term as President and Director of the National Humanties Center and as Chairman of the National Endowment of the Humanities.

With this special blend of expertise and his strong advocacy of the President's reform agenda, I am optimistic that through his leadership we will have a return to basic values, basic traditions and basic good sense in the classrooms of our American schools.

STATEMENT BY SENATOR STROM THURMOND (R-S.C.); BEFORE THE COMMITTEE ON LABOR AND HUMAN RESOURCES REFERENCE NOMINATION OF WILLIAM J. BENNETT TO BE SECRETARY OF EDUCATION, SD-430, JANUARY 28, 1985, 1:30 PM.

MR. CHAIRMAN:

I would like to voice my support for the nomination of Mr. William J. Bennett to be Secretary of Education. I have reviewed Mr. Bennett's credentials, and I believe him to be eminently qualified to serve in the high post to which President Reagan has nominated him.

Mr. Bennett served from January 1983 as the United States Government Representative to the United Nation's Educational, Scientific, Cultural Organization (UNESCO), until the recent U.S. Withdrawal from that organization. Mr. Bennett has been a member of President Reagan's Committee on Arts and Humanities, a past Chairman of the National Endowment for the Humanities, and a Director on the Board of the Institute for Educational Affairs in New York City.

Mr. Bennett, a native of Brooklyn, New York, is a graduate of Williams College in Massachusetts. He earned a Ph.D. in philosophy from the University of Texas, and a law degree from Harvard.

Mr. Chairman, I look forward to the testimony we will receive today on this fine gentleman. I support the President's nomination of Mr. Bennett to be Secretary of Education, and I urge his speedy confirmation.

Mr. Chairman, I might add that the nominee's lovely wife is from Orangeburg, South Carolina which I am sure is a big reason for the success he has experienced in his field.

The CHAIRMAN. We will also place in the record at an appropriate point a set of questions that Senator DeConcini would like you to answer as soon as you possibly can.

We also have a statement from Donald M. Stewart, president of Spelman College, in favor of your nomination, and one from Mr. Samuel G. Sava, who is executive director of the National Association of Elementary School Principals. We will also place a statement from Senator Alfonse D'Amato immediately before those two statements in the record.

[The prepared statements of Senator D'Amato, Mr. Stewart, and Mr. Sava follow:]

Statement by Senator Alfonse M. D'Amato
on the Confirmation of William J. Bennett as
Secretary of the U.S. Department of Education

Mr. Chairman, we are fortunate to have a number of distinguished and qualified people who could serve as Secretary of the Department of Education. As the Senator for New York, I am pleased that several New Yorkers have aspired and are qualified to serve in this position. Mr. Bennett, a native of the great State of New York, is one of the candidates who would make a fine Secretary of this important department. He has not only excelled in the educational arena in my home state, New York, but throughout the country.

Mr. Bennett graduated from Gonzaga High School in Washington, D.C., received a B.A. degree in philosophy from the University of Texas and a J.D. degree from Harvard Law School. He is the recipient of numerous honorary degrees; has written a number of articles for professional journals; taught law and philosophy at prestigious universities; and was confirmed by the Senate on February 8, 1982 to serve as Chairman of the National Endowment for the Humanities.

Prior to Mr. Bennett's appointment as Chairman of the National Endowment for the Humanities, he was the President and Director of the National Humanities Center, Research Triangle, North Carolina. Also during this period, 1979 to 1981, he was Adjunct Associate Professor of Philosphy at the University of North Carolina, Chapel Hill, North Carolina. Mr. Bennett has held positions at Boston University, the University of Wisconsin and a number of other outstanding institutions of higher education. His professional affiliations further exhibit his competence to serve in this position. Mr. Bennett's associations and memberships include: United Nations Educational, Scientific, Cultural Organization (UNESCO), Wilson Center Board for International Studies, President's Committee on the Arts and Humanities, National Academy of Education, Committee on Basic Research in the Behavioral and Social Sciences, and the Institute of Educational Affairs.

This author of many publications has placed special emphasis on the revitalization of our educational programs. At the National Endowment for the Humanities, he developed a new program with an emphasis on restoring centrality and vitality of core Humanities disciplines. He also initiated programs that will benefit teachers and students for years to come. In fiscal year 1984, Mr. Bennett started a special initiative in the Division of Education. He initiated grants to colleges and universities to revise curricula for future teachers of the Humanities, at both the elementary and secondary level. These grants will encourage institutions to focus on academic course work in the Humanities.

William J. Bennett has not only taken a leading position in the Humanities, but has been in the forefront of tackling other educational issues that shape the future of this country. Mr. Bennett was the first to respond to the request of former Secretary Bell for Federal agencies to implement recommendations of the Report of the National Commission on Excellence in Education. The National Endowment for the Humanities, under the direction of Mr. Bennett, called attention to its revamped Division of Education and its special efforts since 1982 to restore excellence, rigor, and coherence to the Humanities curriculum of our Nation's schools and colleges.

Other achievements of this academician are equally as noteworthy. Mr. Bennett played an important role in promoting fellowships and seminars. He developed Summer Seminars for Secondary School Teachers in response to needs at the pre-college level. An initiative was established that was modeled after the sucessful Summer Seminars for Secondary School Teachers Programs. Undergraduates who would not ordinarily have such an opportunity will be able to undertake summer study of important works in the Humanities, under the guidance of recognized scholars. The first seminars are projected for summer 1985.

Mr. Chairman, William J. Bennett has the experience, and capability necessary to continue to develop further our strong educational programs, at the elementary, secondary, and graduate levels. He knows how to develop programs that benefit our citizens, and he knows how to focus special attention on educating our citizenry. Mr. Chairman, we can all gain from this kind of guidance in the field of education. Mr. Bennett knows that an educated citizenry is the key to continued growth and expansion of this great country. Therefore, I ask my colleagues to join me in expeditiously confirming the nomination of William J. Bennett. Clearly, he has the expertise, wisdom and ability to serve as Secretary of the U.S. Department of Education.

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western union **Telegram**

REPRESENTATIVE ORRIN HATCH, CHAIRMAN SENATE LABOR AND HUMAN RESOURCES COMMITTEE
CAPITOL ONE DC 20515

DEAR CHAIRMAN HATCH: I UNDERSTAND THAT CONFIRMATION HEARINGS ARE ABOUT TO BEGIN ON THE APPOINTMENT OF WILLIAM BENNETT TO THE POSITION OF SECRETARY OF EDUCATION, I WISH TO EXPRESS MY PERSONAL AND ENTHUSIASTIC SUPPORT FOR DR BENNETT AND URGE HIS CONFIRMATION. BILL BENNET WILL BE A SUPERB SECRETARY AT A CRITICAL TIME IN AMERICAN HIGHER EDUCATION. HIS KNOWLEDGE, SKILLS AND INSIGHTS WILL ADD MUCH TO THE FEDERAL ROLE. WE STILL NEED HIM AT THE ENDOWMENT, BUT HIS LEADERSHIP AND VISION IN ALL MATTERS EDUCATIONAL WILL BE WELL USED AT THE CABINET LEVEL OF GOVERNMENT. YOUR SUPPORT FOR HIS APPOINTMENT WILL BE DEEPLY APPRECIATED BY COLLEGE PRESIDENTS, BLACK AND WHITE, MALE AND FEMALE, ALL ACROSS OUR GREAT NATION. THANK YOU FOR YOUR CONSIDERATION.
DONALD M. STEWART PRESIDENT
SPELMAN COLLEGE
ATLANTA GA 30314

10:56 EST

IPMPOMX WSH

NAESP

National Association of
Elementary School Principals

January 16, 1985

The Honorable William J. Bennett
Chairman
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W., Rm. 502
Washington, D.C. 20506

Dear Dr. Bennett:

On behalf of elementary and middle school principals across the country, let me tell you how gratified we are by your designation as the next United States Secretary of Education.

The President's selection of a person with your background and distinction is dramatic reaffirmation of his interest in educational excellence, and we feel sure the nation's school children will be the beneficiaries.

Let me add my personal congratulations and best wishes. If I can be of any assistance, particularly in regard to education in the crucial early years of children's lives, please call upon me.

Sincerely,

Sam

Samuel G. Sava
Executive Director

SGS/lp

1920 Association Drive, Reston, Virginia 22091 (703) 620-6100

The CHAIRMAN. We will keep the record open for any questions anybody cares to offer.

We are very, very happy to have both of the Senators who are with you to testify with you here today. We will turn to the distinguished Senator from North Carolina, Senator Helms, first and then to the distinguished Senator from New York, Senator Moynihan.

Senator Helms.

STATEMENT OF HON. JESSE HELMS, A U.S. SENATOR FROM THE STATE OF NORTH CAROLINA

Senator HELMS. Mr. Chairman and members of the committee, I thank you very much for the privilege of coming here today to present Dr. William J. Bennett, whom President Reagan has nominated to serve as Secretary of the Department of Education.

You have before you a detailed biographical review of Dr. Bennett's career. It has been alluded to in the various statements that have been made here. If it has not already been made a part of the record, Mr. Chairman, I would appreciate your inserting it by unanimous consent at the conclusion of my remarks.

The CHAIRMAN. Without objection, we will do that.

Senator HELMS. Before offering a very brief summary of Bill Bennett's career highlights, let me quote excerpts from a Wall Street Journal column written by my good friend and fellow North Carolinian, Vermont C. Royster of Chapel Hill. Vermont, as I am sure you know, served as editor of the Wall Street Journal prior to his retirement several years ago. He is now a regular contributor to the editorial page of that newspaper. He is also a Keenan professor of journalism at the University of North Carolina. Vermont Royster—we call him Bunny Royster in Raleigh—began his assessment of Bill Bennett's qualifications to serve as Secretary of Education this way, and I quote him:

> If we have to have a Federal Department of Education, the country could hardly do better than to have William J. Bennett to be its Secretary. Bennett has many appropriate qualifications for the post, none more appropriate than the simple fact that he knows what makes an educated person.

Then, he goes on to say:

> Understanding the difference between training and education is something that escapes a good many professional educators which is surely one of the reasons the quality of our secondary schools has lately been so much lamented. But not secondary schools only. Colleges and universities, too, have been properly criticized for turning out lopsided graduates, doctors, lawyers, engineers, scientists, well trained in their specialties but ill acquainted with other realms of knowledge.

I will not quote further from Vermont Royster's article, but I have supplied copies of it which Senators may note with some interest. I would hope that the full text of Mr. Royster's article may also be made a part of the record of this hearing.

The CHAIRMAN. Without objection, so ordered.

Senator HELMS. I thank the Chair.

Let me say, Mr. Chairman, that Bill Bennett is fully qualified to serve as Secretary of Education as has been mentioned here earlier. In 1967, he obtained a Ph.D. in philosophy from the University of Texas. In 1971, he received a doctor of laws from Harvard. From

1972 until 1976, he was assistant to the president at Boston University where he taught law.

In the interests of time, I am going to summarize the balance of my statement, Mr. Chairman, but perhaps it would be appropriate to have the full text included in the record.

The CHAIRMAN. Without objection, we will do that.

Senator HELMS. In all of his roles as professor, as writer, as NEH Chairman, Dr. Bennett has promoted the classics in education. He has emphasized the importance of studying history and philosophy and languages and religion. He has been a primary spokesman in bringing America back to the traditions and values that made this country great. I am confident that Bill Bennett will bring to the Department of Education new ideas and strong leadership. Therefore, on behalf of the President, it is my honor to join in presenting him for consideration for the post of Secretary of the U.S. Department of Education.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you so much, Senator Helms.

[The prepared statement of Senator Helms and the article by Mr. Royster follow:]

INTRODUCTION OF SECRETARY-DESIGNATE

WILLIAM J. BENNETT

428 SENATE DIRKSEN BUILDING

JANUARY 28, 1985

1:30 P.M.

REMARKS BY

U.S. SENATOR JESSE HELMS

Mr. Chairman, members of this distinguished Committee:

I thank you very much for the privilege of presenting to the Committee Dr. William J. Bennett, whom President Reagan has nominated to serve as Secretary of the Department of Education.

You have before you a detailed biographical review of Dr. Bennett's career. If it has not already been made a part of the record for this hearing, I will appreciate your inserting it by unanimous consent at the conclusion of my remarks.

Before offering a summary of Bill Bennett's career highlights, let me quote excerpts from a Wall Street Journal column written by my good friend, Vermont C. Royster of Chapel Hill. Vermont, as you know, served as editor of The Wall Street Journal prior to his retirement several years ago. He now is a regular contributor to the editorial page of that newspaper. He also is Kenan Professor of Journalism at the University of North Carolina.

Vermont Royster began his assessment of Bill Bennett's qualifications to serve as Secretary of Education this way:

"If we have to have a federal Department of Education, the country could hardly do better than to have William J. Bennett to be its secretary. Bennett has many appropriate qualifications for the post, none more appropriate than the simple fact he knows what makes an educated person.

"Understanding the difference between training and education is something that escapes a good many professional educators, which is surely one of the reasons the quality of our secondary schools has lately been so much lamented. But not in secondary schools only. Colleges and universities, too, have been properly criticized for turning out lopsided graduates -- doctors, lawyers, engineers, scientists -- well trained in their specialties but ill-acquainted with other realms of knowledge."

I will not quote further from Vermont Royster's article, but I have supplied several copies of it which Senators will note with interest. I would hope that the full text of Mr. Royster's article may be made a part of the record of this hearing.

Bill Bennett is fully qualified to serve as Secretary of Education. In 1967 he obtained a Ph. D. in philosophy from the University of Texas. In 1971, he received a Doctor of Laws from Harvard University. From 1972 until 1976, he was the Assistant to the President at Boston University where he taught law.

I am honored to present Dr. Bennett not only because of these eminent qualifications but also because of his substantial contributions to education in North Carolina. In 1977, he became Executive Director of the National Humanities Center and in 1979, he became the President and Director of the Center. During his years in our state,

he served as an adjunct associate professor of philosophy at the University of North Carolina at Chapel Hill and at North Carolina State University. Additionally, Dr. Bennett served on the Commission on the Future of the South.

In 1981, President Reagan nominated Dr. Bennett as Chairman of the National Endowment for the Humanities (NEH), and in 1982, the Senate confirmed that nomination.

As Chairman of NEH, Dr. Bennett took a hard look at the organization's programs and has returned NEH to its intended role as a spokesman for and a promoter of the value of the arts and humanities in education. Additionally, Dr. Bennett has remained fiscally responsible by cutting NEH's budget by $11 million.

In all of his roles -- as professor, as writer and as NEH Chairman -- Dr. Bennett has promoted the classics in education. He has emphasized the importance of studying history, philosophy, languages, and religion. He has been a primary spokesman in bringing America back to the traditions and values which made this country a great nation.

Mr. Chairman, I am confident Dr. Bennett will bring to the Department of Education new ideas and strong leadership.

Therefore, on behalf of the President, it is my honor to present to you a former North Carolinian and in doing so, I strongly commend to your consideration Dr. William J. Bennett for the position of Secretary of the U.S. Department of Education.

Bennett fits bill as Education head

Editor's note: The writer is a Raleigh native and former editor of The Wall Street Journal, from which this article is printed. He lives in Chapel Hill, where he is Kenan Professor of Journalism at the University.

Point of view

By VERMONT ROYSTER

If we have to have a federal Department of Education, the country could hardly do better than have William J. Bennett to be its secretary. Bennett has many appropriate qualifications for the post, none more impressive than the simple fact he knows what makes an educated person.

Understanding the difference between training and education is something that escapes a good many professional educators, which is surely one of the reasons the quality of our secondary schools has lately been so much lamented. But not in secondary schools only. Colleges and universities, too, have been properly criticized for turning out lopsided graduates — doctors, lawyers, engineers, scientists well trained in their specialties but ill-acquainted with other realms of knowledge.

I suppose Bill Bennett himself could be described as a professional educator in the sense that all his working career has involved education. He began as an assistant to the president of Boston University, then served as senior official at the National Humanities Center under the late Charles Frankel. On Frankel's death he succeeded to the presidency of the center, although only after the directors hesitated over naming so young a man. He was barely 36 years old.

From that post he was named by President Reagan to head the National Endowment for the Humanities, despite some initial criticism about the "liberal bias" of the Humanities Center. Since then the criticism of Bennett as NEH chairman has, ironically, come mainly from liberal political groups. He has been criticized for opposing quotas in affirmative-action education programs.

But Bill Bennett, whom I knew at the National Humanities Center, is not easily categorized. As a Williams College undergraduate he was known as a "jock," a football lineman, rather than a future intellectual leader. He still carries that image in appearance and, at least until he got married, often looked rumpled.

From Williams he went on to earn a doctorate in history from the University of Texas and a law degree from Harvard. From all this he emerged with a wide-ranging mind and some strong views of what an education should be.

WILLIAM J. BENNETT

The word "humanities," with which he is so much associated, is an ill-defined term. It of course embraces history, world literature and philosophy, but in Bennett's mind, in fact, all that man has learned from events and the accumulated knowledge of the past. At least, a familiarity with all of them is necessary to make a truly educated person. When he headed the Humanities Center, its advanced scholars, given time and leisure to pursue their special interests, included scientists as well as the more traditional humanists. The idea was to have a "rubbing together of good minds" from many fields of knowledge.

I think the idea is one sorely needed in our educational system from elementary schools through the highest university levels. The student who comes through being a mathematical whiz but cannot write the English language (or any other), or the one immersed in literature while ignorant of the basic concepts of physics, have both been shortchanged in their years of schooling. And more's the pity for all that time, money and energy expended.

It's true we have long passed the point where a Jefferson could take all human knowledge to be his province. It's almost impossible now to encompass all the knowledge in any one field — medicine, physics, history or whatever. In the face of that seemingly insuperable problem most educators simply throw up their hands.

It's equally true that a young person ought not to waste all those school years. The high-school graduate should know enough math to be an electrician or a carpenter, enough English to read instruction manuals, to write a job application, to speak intelligibly. And, yes, enough history and geography to follow the nightly news. Many educators have thrown up their hands even on that, sending out pupils ill-prepared for the workaday world.

The root of the problem, I think, is the abandonment of the idea of a "well-rounded" education, whether in high schools or in places of advanced learning. The doctor of philosophy is a narrow person if he is ignorant of biology, as is the doctor of medicine ignorant of all beyond his specialty.

There is no such thing as an education that is "right" for every person, each of whom has different interests, abilities and aims in life. It would be wrong to cast our system in one mold, as is done in some countries, whether it be shaped by the ideas of Bennett or anyone else. For that reason I doubt if we should even have a federal office of a bureaucracy seeking to exert control over the shape of all education.

Nonetheless, if we are to have one, it is best to have it led by someone who sees education in its widest terms, who thinks that its purpose is both to provide young people with the basic skills to help them in life and also to help them understand the values of Western civilization and the country they live in.

Best, in fact, to have it in the hands of a man who is himself an educated person and who believes that a well-rounded education is the richest gift we can give to those who come after us.

The CHAIRMAN. We will now turn to Senator Moynihan.

STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator MOYNIHAN. Mr. Chairman, as I am sure you know, Dr. Bennett is a great enthusiast of Mark Twain. Listening to all that is going on this afternoon, I think of that opening line in Huckleberry Finn which, if I recall, goes, "You don't know about me unless you have read a book by the name of "The Adventures of Tom Sawyer;" but that ain't no matter. That book was made by Mr. Mark Twain, and he told the truth, mainly."

Mostly what you have said is right, but you have left out the fact that Bill Bennett was born in Brooklyn; a matter of some considerable consequence to his character and, I hope, someday, to the character of our universities.

I am here to commend him to the committee as an acquaintance of many years. I knew him as a graduate student. I have followed his work at the National Center for the Humanities. I have read his work in those journals which are not too complicated. He is a very able professional philosopher and as adept in that discourse as he is in public discourse.

May I make just one point as someone who has been involved in education matters over the years here in Washington: I believe for the first time we have someone representing higher education as his principal interest in the leadership position on education in the Capital. This, obviously, should not be a permanent arrangement; it was very proper for Dr. Bell to precede Dr. Bennett. Some variation in background is, however, in order, Mr. Chairman.

The Office of Education with the U.S. Commissioner of Education was established soon after the Civil War, and from that time down to the present, Washington has tended to think of education in terms of elementary and secondary education whereas, in fact, much its greatest impact is on higher education and, indeed, beyond that, on graduate education. That is where the resources of the Federal Government have been used to create institutions instead of simply assist them.

I think this is a refreshing event, and I think you will have a refreshing afternoon, and I think we have held you long enough.

The CHAIRMAN. Thank you, Senator. We appreciate that. We appreciate both of you coming today. I think it bodes well for you, Dr. Bennett, to have these two gentlemen appearing for you, and we thank them for the time that they have taken to be here.

Dr. Bennett, we will be happy to take any statement that you would care to make at this time.

STATEMENT OF DR. WILLIAM J. BENNETT, SECRETARY-DESIGNATE OF THE U.S. DEPARTMENT OF EDUCATION

Dr. BENNETT. Thank you, Mr. Chairman.

I have a full statement which I would like to submit for the record, but perhaps I could give a brief version of it if that is acceptable.

The CHAIRMAN. Without objection, we will put your full statement in the record at this point and we will be happy to take your summary.

Dr. BENNETT. Thank you.

I am very grateful for the opportunity to appear before this committee as the President's nominee to be Secretary of Education. As one who has devoted his entire professional life to American education, I can imagine no higher honor or greater challenge than the opportunity to serve our Nation in this capacity.

As the framers of our Constitution recognized, education is a cornerstone in the foundation of our democracy. Thomas Jefferson wrote that no nation could ever expect to be both ignorant and free. James Madison said, perhaps on a somewhat more positive note, "What spectacle could be more edifying than that of liberty and learning, each leaning on the other for their surest and mutual support."

For every generation since the founders' time, education has been an essential article of the American faith. Education is at the beginning and at the heart of the American dream.

These are exciting times for American education. They are also critical times. Two years ago, the publication of "A Nation at Risk," followed by other major studies, chronicled an educational system in serious trouble. It appeared from these reports that we had lost our sense of educational purpose. While schools were floundering, our children paid the price of our neglect in lost opportunity and narrowed horizons. They paid a price in their minds and their hearts.

However, the American people are now responding to this challenge. Education now ranks high on the national agenda. Indeed, a recent survey revealed that the nation's governors view education as the single most important issue they face and that they must address.

The question before us now is how do we sustain and increase the momentum for quality in education? In our Republic, primary responsibility for education rests with State and local governments, with students and their parents, with teachers and principals. As is now evident, once a serious problem has been identified, the American people, these people, will look for solutions.

At the same time, there is clearly an appropriate if limited role for the Federal Government. An essential part of that role, of course, is leadership. To maintain the pace of educational reform, I believe the Department of Education must exercise vigorous leadership in enunciating and promoting the educational aspirations of all of the American people.

Although every American child deserves the best educational opportunity his or her community can provide, we recognize that all children are not equally advantaged nor are their communities. I believe, therefore, that it is entirely appropriate for the Federal Government to provide funds to State and local jurisdictions to address the effects of discrimination as well as the effects of physical and financial constraints. The Federal Government must assist the States in assuring that all students, whatever their race, color, sex, handicap, or English proficiency, have the opportunity to participate fully in our society. In this regard, I would seek the full en-

forcement of all laws and regulations pertaining to the programs of the Department of Education.

At the same time, I will make every effort to prevent the Department from being needlessly meddlesome or intrusive. In my view, providing financial support should not give the Federal Government the right to control educational policy in our schools.

I would, Mr. Chairman, deeply appreciate the challenge of leading the Department of Education during the next 4 years in pursuing a genuine renaissance in American education. I thank you for the opportunity to appear before this committee today. If confirmed, I pledge that I will work closely with you and the Congress as a whole to advance this important cause of American education.

Thank you.

[The prepared statement and biographical sketch of Dr. Bennett follow:]

Opening Remarks by William J. Bennett, Secretary-designate, Department of Education

Thank you, Mr. Chairman.

I am very grateful for the opportunity to appear today before this Committee as the President's nominee to be Secretary of Education. As one who has devoted his entire professional life to American education, I can imagine no higher honor, or greater challenge, than the opportunity to serve our Nation in this capacity.

As the framers of our Constitution recognized, education is a cornerstone in the foundation of our democracy. Thomas Jefferson wrote that no nation could ever expect to be both ignorant and free. For every generation since Jefferson's time, education has been an essential article of the American faith. We Americans believe that through education and hard work, life will be better for our generation than it was for our parents, and better still for our children than for us. Indeed, it is fair to say that education is at the heart of the American dream.

These are exciting times for American education; they are also critical times. Two years ago, the publication of A Nation at Risk, followed by other major studies, chronicled an educational system in serious trouble. It appeared from these reports that we had lost our sense of educational purpose. While schools were floundering, our children paid the price of our neglect in lost opportunity and narrowed horizons; they

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also paid a price in their minds and hearts.

With remarkable speed, energy, and determination, however, the American people are now responding to this challenge. In the last two years, a groundswell of concern has been transformed into a tidal wave of reform. Forty-two States have implemented tougher standards for training and certifying teachers, 40 States have stiffened high school graduation requirements, and 23 States have increased instructional time for students. In short, education now ranks high on the national agenda. Indeed, a recent survey revealed that the nation's governors view education as the single most important issue they face.

The question before us now is how do we sustain and increase the momentum for quality in education? I believe we must first recognize who is responsible for the current wave of reform. It comes not from the Federal government but from the American people, from their noblest instincts and their best hopes for their children and our future.

Under our Constitution, primary responsibility for education rests with state and local governments, with students and their parents, teachers and principals. As is now evident, once a serious problem has been identified, the American people will find solutions. Virtually all of the major education reforms currently planned or underway have been

conceived and executed at the State and local level.

At the same time, there is clearly an appropriate, if limited, role for the Federal government, an essential part of which is leadership. In this instance, with the report of the National Commission on Excellence in Education, the Federal government has played a major role in identifying the problems in our schools and in articulating clearly defined national goals. To maintain the pace of educational reform, I believe the Department of Education must exercise vigorous leadership in enunciating and promoting the educational aspirations of the American people.

A second proper role for the Federal government is to collect, analyze, and disseminate reliable information on the state of American education. In keeping with this role, I believe the Department of Education should also seek to identify areas of deficiency and opportunities for improvement in American education.

Although every American child deserves the best educational opportunity his or her community can provide, we recognize that all children are not equally advantaged, nor are their communities. I believe therefore, that it is entirely appropriate for the Federal government to provide funds to State

and local jurisdictions to address the effects of discrimination, as well as physical and financial constraints. The Federal government must assist the States in ensuring that all students, whatever their race, color, sex, physical handicap or English proficiency, have the opportunity to participate in our society. In this regard, I would seek the full enforcement of all laws and regulations pertaining to the programs of the Department of Education.

At the same time, I will make every effort to prevent the Department from being needlessly meddlesome or intrusive. In my view, providing financial support should not give the Federal government the right to control educational policy in our schools. In disbursing public funds, we must be certain that we are doing so as efficiently as possible, ensuring that financial assistance is directed to those in greatest need. Such assistance must be based on the recognition that further progress toward our common goals is best achieved by working in concert with state and local officials, businessmen, school boards, principals, parents and students.

I would deeply appreciate the challenge of leading the Department of Education during the next four years in pursuing a genuine renaissance in American education. In the event that the Senate consents to this nomination, I will do everything I can to make the Federal government a helpful and constructive presence in American education. Thank you for the opportunity to appear before this Committee today. If confirmed, I pledge that I will work closely with you, and the Congress as a whole, to advance the cause of American education.

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART I: ALL THE INFORMATION IN THIS PART WILL BE MADE PUBLIC

Name: Bennett (LAST) William (FIRST) John (OTHER)

Position to which nominated: Secretary of Education Date of nomination: 1/18/85

Date of birth: 31/7/43 (DAY) (MONTH) (YEAR) Place of birth: Brooklyn, New York

Marital status: Married Full name of spouse: Mary Elayne Glover Bennett

Name and ages of children: John Robert Bennett March 15, 1984

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Harvard Law School Cambridge, Mass.		J.D.	1971
University of Texas Austin, Texas		Ph.D.	1970
Williams College Williamstown, Mass.		B.A.	1965

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Honorary Degrees

L.D.	1984	University of Notre Dame; Notre Dame, Ind.
L.H.D.	1984	Loyola College of Maryland; Baltimore, Md.
L.H.D.	1984	Elon College; Elon College, North Carolina
H.H.D.	1984	University of North Carolina; Charlotte, N.C.
L.H.D.	1983	Manhattan College; Riverdale, New York
L.D.	1983	Williams College; Williamstown, Mass.
L.H.D.	1982	University of New Hampshire; Durham, N.H.
H.H.D.	1982	Franklin College; Franklin, Indiana
Litt.D.	1982	Gonzaga University; Spokane, Washington

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations for the last five years and any other prior memberships or offices you consider relevant.

Organization	Office held (if any)	Dates
SEE ATTACHMENT A		

Employment record: List below all positions held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

SEE ATTACHMENT B

Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments other than those listed above.

NONE

Published writings: List the titles, publishers and dates of books, articles, reports or other published materials you have written.

SEE ATTACHMENT C

Political affiliations and activities: List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last five years.

1) On December 11, 1984 I addressed the Great Neck Republican Club in Great Neck, New York, on education issues.

2) In 1980 I signed a "Scholars for Reagan" letter that was published during the Presidential election campaign in The New York Times.

3) I believe I made a couple of small contributions to Reagan-Bush in 1980 (approximately $100) but do not have more precise information.

Future employment relationships:

1. Indicate whether you will sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate.

YES

2. State whether you have any plans after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization.

NO

3. Has a commitment been made to you for employment after you leave Federal service?

NO

4. Do you intend to serve the full term for which you have been appointed or until the next Presidential election, whichever is applicable?

YES

Potential conflicts of interest:

1. Describe any financial arrangements, deferred compensation agreements or other continuing financial, business or professional dealings with business associates, clients or customers who will be affected by policies which you will influence in the position to which you have been nominated.

NONE

2. List any investments, obligations, liabilities, or other financial relationships which constitute potential conflicts of interest with the position to which you have been nominated.

NONE

3. Describe any business relationship, dealing or financial transaction which you have had during the last five years whether for yourself, on behalf of a client, or acting as an agent, that constitutes a potential conflict of interest with the position to which you have been nominated.

NONE

4. List any lobbying activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any Federal legislation or of affecting the administration and execution of Federal law or policy.

I did not engage in any lobbying activity before my appointment as Chairman of the National Endowment for the Humanities. (In this position I have of course presented the Administration's position on budgetary and other issues in Congressional testimony, as well as in other contacts with members of Congress.)

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to the above items.

(Not applicable)

ATTACHMENT A
WILLIAM J. BENNETT

Memberships:

January 1983 to present	U.S. Government Representative/Culture United Nations Educational, Scientific, Cultural Organization (UNESCO) Washington, D.C.*
January 1982 to present	Wilson Center Board for International Studies Smithsonian, Institution Washington, D.C.*
September 1982 to present	President's Committee on the Arts and Humanities Washington, D.C.*
October 1980 - December 1981	National Academy of Education Cambridge, Massachusetts
August 1970 - December 1981	1980 Commission on the Future of the South Southern Growth Policies Board Research Triangle Park, North Carolina
March 1980 - December 1981	Committee on Basic Research in the Behavioral and Social Sciences National Research Council Washington, D.C.
June 1978 - December 1981	Board of Directors Institute for Educational Affairs New York, New York
January 1976 - December 1981	American Society for Political and Legal Philosophy
May 1978 - May 1979	Board of Advisors Southern Educational Communications Association
April 1977 - April 1978	Board of Directors Society for Values in Higher Education
1967 - 1969	Board of Trustees National Humanities Faculty Concord, Massachusetts
January 1973 - June 1977	Panelist National Endowment for the Humanities Washington, D.C.

* Ex Officio as Chairman of the National Endowment for the Humanities

ATTACHMENT B
WILLIAM J. BENNETT

Employment record:

December 1981 - Present	Chairman, National Endowment for the Humanities
June 1979 - December 1981	President and Director National Humanities Center Research Triangle Park, North Carolina
September 1979 - December 1981	Adjunct Associate Professor of Philosophy University of North Carolina Chapel Hill, North Carolina
August 1977 - December 1981	Adjunct Associate Professor of Philosophy North Carolina State University Raleigh, North Carolina
May 1976 - June 1979	Executive Director National Humanities Center Research Triangle Park, North Carolina
1972 - May 1976	Assistant to the President and Assistant Professor of Philosophy Boston University Boston, Massachusetts
1975 - 1976	Academic Administration Internship Program American Council on Education Fellow in Academic Administration Boston, Massachusetts
Spring Semester 1973	Visiting Assistant Professor of Philosophy University of Wisconsin Madison, Wisconsin
Fall 1975	Speaker/Instructor -- In-service Training Boston Police Academy Boston, Massachusetts
1974 - 1975	Associate Chairman -- Bicentennial Project National Humanities Faculty Concord, Massachusetts
1973 - 1974	Chairman -- "The Question of Authority" Project National Humanities Faculty Concord, Massachusetts
1971 - 1972	Associate Dean and Assistant Professor of Philosophy Boston University Boston, Massachusetts

ATTACHMENT B

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1970 - 1971	Tutor -- Social Studies Harvard University Cambridge, Massachusetts
1969 - 1971	Resident Advisor (Dormitory) Harvard University Cambridge, Massachusetts
Summer 1970	Assistant Professor of Philosophy University of Texas Austin, Texas
1967 - 1968	Assistant Professor of Religion and Philosophy University of Southern Mississippi
Summer 1966	Instructor Governor's School Winston-Salem, North Carolina

WILLIAM J. BENNETT

P U B L I C A T I O N S

April, 1985	Epilog: Challenges to the Humanities
January 13, 1985	"Go Ahead, Major in the Liberal Arts", The Washington Post
November, 1984	"To Reclaim a Legacy: A Report on the Humanities"
Fall, 1984	"How Should Americans Celebrate the Bicentennial of the Constitution?", Phi Kappa Phi Journal
Spring, 1984	Forward: Against Mediocrity, edited by Chester Finn, Jr., Diane Ravitch and Robert T. Fancher
April, 1984	"Pay is Not the Only Way to Reward Merit", The Executive Educator
April 15, 1983	"Reviving the Humanities", The Washington Post
Spring, 1983	"The Public Life of the Humanities", Philosophy and Public Policy, Volume 3, Number 2
December 31, 1982	"The Shattered Humanities", editorial, The Wall Street Journal
November, 1982	"Moral Education and Indoctrination", The Journal of Philosophy, Inc., Volume LXXIX, Number 11
September 9, 1981	"Making a School System Work", The Wall Street Journal, Reprinted, Education Week, Volume 1, Number 6, October 12, 1981
Summer, 1981	"Humanities, The Universities, and Public Policy, Educational Record, Volume 62. Reprinted, The Humanist As Citizen, edited by John Agresto and Peter Riesenberg, National Humanities Center, University of North Carolina Press, 1981
1980-81	Review essay of Legal Ethics and Legal Education, (The Teaching of Ethics in Higher Education, Monograph No. II) by Michael J. Kelly in The Journal of College and University Law, Volume 7, Number 3-4
December, 1980	"Getting Ethics", Commentary, Volume 70, Number 6

Winter, 1980	"Teaching the Young About Sex", American Educator, Volume 4, Number 4. Reprinted, The Education Digest, April, 1981
1980	"The Teacher, the Curriculum, and Values Education Development," New Directions for Higher Education, 31
September 17, 1980	"The New Right Christians", editorial, The Wall Street Journal
Fall, 1980	"What Value is Values Education?" American Educator, Volume 4, Number 3
May, 1980	Review essay, Utopian Thought in the Western World by Frank E. Manuel and Fritzie P. Manuel, Commentary Magazine, Volume 69, Number 5
January 7, 1980	"Simple Truths", My Turn (column), Newsweek
December, 1979	Review essay of Restoring the American Dream by Robert I. Ringer, Commentary Magazine, Volume 68, Number 6
November, 1979	Counting by Race: Equality From the Founding Fathers to Bakke published by Basic Books, Inc.
July, 1979	"Taking Rights Soberly", book review of Right and Wrong by Charles Fried, Stanford Law Review, Volume 31, 6th Issue
May 15, 1979	"The Foundations of the Brown Decision", guest editorial, The Greensboro Record, Greensboro, North Carolina
February, 1979	"Where the Values Movement Goes Wrong", Change Magazine, Volume 11, Number 1
Winter, 1979	"Censorship for the Common Good: An Exchange", Public Interest Number 54
October, 1978	Review essay, Lying, by Sissela Bok, Commentary Magazine, Volume 66, Number 4
September, 1978	"Why Bakke Won't End Reverse Discrimination", Commentary Magazine, Volume 66, Number 3

Fall, 1978	"The Homosexual Teacher in the Public Schools", American Educator, Volume 2, Number 3
Fall, 1978	Review essay, The Perpetual Dream: Reform and Experiment in the American College by Gerald Grand and David Riesman, The Public Interest, Number 53
July 25, 1978	"When Values are Substituted for Truth", The Wall Street Journal
Summer, 1978	"Censorship for the Common Good", The Public Interest, Number 52
March, 1978	"Ethics and the Legal Profession." The concluding chapter of the American Bar Association's volume, Professional Responsibility; A Guide for Attorneys, West Publishers, St. Paul, Minnesota
March, 1978	Review essay, One L, by Scott Turow, Commentary Magazine, Volume 65, Number 3
February 9, 1978	"What Should the Public Know?" The Charlotte Observer
January 10, 1978	"Rights Thinking and Political Language," The Wall Street Journal. Reprinted, "When Rights are Wrong", Council for Basic Education Bulletin, Volume 22, Number 8
Winter, 1978	"Moral Education in the Schools", The Public Interest, Number 50
January, 1978	Review essay of The Memoirs of Earl Warren, by Chief Justice Earl Warren, Commentary Magazine, Volume 65, Number 1
October, 1977	Review essay of A Rumor of War by Philip Caputo, Commentary Magazine, Volume 64 Number 4
September 25, 1977	"What's in a Game?" The San Diego Union
April 15, 1977	"Let's Bring Back Heroes", My Turn (column), Newsweek Magazine. Reprinted, Reader's Digest, December, 1977

August, 1977	Review essay, Taking Rights Seriously by Ronald Dworkin, Commentary Magazine, Volume 64, Number 2
May, 1977	Review essay, The First Amendment and the Future of American Democracy by Walter Berns, Commentary Magazine, Volume 63, Number 5
January, 1977	Review essay, The Deadly Innocents: Portraits of Children Who Kill by Muriel Gardiner, Commentary Magazine, Volume 63, Number 1
Fall, 1976	"The Constitution and the Moral Order", the lead article in a symposium on ethics and constitutional law published in the Hastings Constitutional Law Quarterly, Volume 3, Number 4
October, 1976	Review essay, The Joy of Sports by Michael Novak, Commentary Magazine, Volume 62, Number 4
September, 1976	Review essay of Studies in Nietzsche and the Classical Tradition, James D. O'Flaherty, editor, Wake Forest Review, University of North Carolina Press
February, 1976	"In Defense of Sports", Commentary Magazine, Volume 62, Number 2. Reprinted, The Washington Star Sunday Edition, Washington, D.C.; focus of 30-minute interview, The Tom Larson Show, WSDK-Channel 38, Boston, Massachusetts, February 19, 1976
September, 1975	"Reflections on Revolutionary Constitutionalism in the 18th Century America". Comment for the lead panel on "Constitutionalism", American Society for Political and Legal Philosophy 20th Annual Meeting, San Francisco, California (September 2-3, 1975). Reprinted in Nomos, Volume X, Constitutionalism, June, 1978
December, 1974	Review essay, Justice Under Fire, by Joseph W. Bishop, Jr., Commentary Magazine, Volume 58, Number 6
September, 1974	Why Judge? A Conversation About Jurisprudence with William J. Bennett, Chandler and Sharp Publishers, Corte Madera, California
August, 1974	Review essay, Alive: The Story of the Andes Survivors, by Piers Paul Read, Commentary Magazine, Volume 58, Number 2
Spring, 1974	"A Comment on Richard Bernstein's Praxis and Action", a review in the Author-Reviewer Symposia of Philosophy Forum
May, 1973	"The Terrifying Remedy: A Response to V. N. Chaldize's The Right of a Convicted Citizen to Leave His Country", in the Harvard Civil Rights-Civil Liberties Law Review, Volume III, Number 3

The CHAIRMAN. Thank you very much.

Dr. Bennett, President Reagan has asked you to study the structure of the Department of Education and to report back to him your recommendations on how it might be improved to better serve the Federal role in education. Could you inform the committee how you plan to conduct this evaluation, or this reevaluation, I guess we could say?

Senator PELL. Mr. Chairman, if I could interrupt, will there be a 10-minute rule?

The CHAIRMAN. Yes; we will follow a 10-minute rule for everybody.

Dr. BENNETT. Well, I just have the most general thoughts, Mr. Chairman. That is all I have had time for to think about in regard to that question.

I think, first of all, the study that the President asked me to do should take place in a finite period of time. I am not one of those people who believe that studies should be prolonged forever and ever. We turned around a study in 6 months at the National Endowment, "To Reclaim a Legacy," and we think it was not less of a study because it was done quickly.

I think, essentially, I would like to seek the advice of several groups of people. One is people at the Department of Education. I would like to hear from them about their view of the efficiency and effectiveness of programs. I would ask them to represent the views of people in the field as they present their own views to me.

I would also seek direct access and direct conversations with people who are affected by the programs of the Department, to hear directly from them. I would like to talk with experts in the field, people who have written about the Department and about education generally, to get their views on the Department. Of course, I would very much like to work with Members of Congress, members of this committee particularly, and others who have a special interest in the Department to gain their insights and advice. Also, of course, we would welcome advice from any citizen about this.

Again, I would like to do this with some dispatch, perhaps in the next 4 to 6 months, and only ask for a delay if it is absolutely necessary.

The CHAIRMAN. Dr. Bennett, you have a strong reputation, of course, as an advocate for the humanities. I guess that is to be expected since that has been a requirement of your past two jobs at the National Endowment and the National Humanities Center in North Carolina. However, as important as humanities are, they, of course, do not comprise all of the education in America. I speak with particularity about the vocational education of our people.

During the 98th Congress, I worked closely with Senator Stafford and Senator Pell to restructure the Federal Vocational Educational Program. It goes without saying that we are interested in the thoughtful administration of these new programs and, in particular, I am interested in the provisions that are designed to help single parents and displaced homemakers since these are Americans who, it seems to me, have a particularly difficult time or, should I say, a particularly compelling need for help in obtaining

marketable skills. I think that is a need that too often our society has ignored.

On January 15th, the Washington Post printed an article of yours that suggested that majoring in colleges in humanities might be better for one's career than a vocational major, and you are known to deplore the occupational focus of today's college curricula. Understandably, this stand does concern some vocational educators.

Therefore, I ask you for the record, what are your thoughts on vocational education, both at the secondary and postsecondary level, and what are your intentions with regard to the implementation of the Carl D. Perkins Vocational Education Act that we passed last year?

Dr. BENNETT. Sir, first, of course, I would intend to enforce the provisions of the act. Perhaps it would be more helpful to speak generally just for a few moments about the direction of your question in terms of my view of vocational education.

We do not have a part or program of vocational education at the National Endowment for the Humanities. There is no program in vocational humanities. The fact that we have not spoken about vocational education, therefore, from the National Endowment should not be interpreted as meaning that I have no interest in or support for vocational education.

An American philosopher once said that it is not enough for a man to be good; he has to be good for something. I think, therefore, it is important for people to learn those skills which will help them find jobs. We want people to be both educated and practical.

It is not occupational focus that has bothered me some in my studies of higher education; it is occupational fixation so that people become fixated only on the question of getting a job and not on the broader question of being educated as well as being prepared for getting a job.

Therefore, if confirmed, I would be prepared to take the provisions of the vocational education programs at the Department very seriously and, indeed, do all I could to improve them.

The CHAIRMAN. During the 98th Congress, again, Senators Stafford, Pell, and myself were the primary authors of Public Law 98-377, the Education for Economic Security Act, sometimes called the math and science bill. This law does a number of things to enhance mathematics and science education. We view it as primarily a teacher's bill that is designed to help working mathematics and science teachers to upgrade their knowledge and, of course, their teaching skills. This program will have to be reauthorized again this year, if we want to, after only 1 year of operations. Since the committee intends to work with you on this reauthorization, I would like to ask you, do you have any preliminary views regarding the program and what do you believe the Federal role should be in assisting primary and secondary school mathematics and science teachers?

Dr. BENNETT. My preliminary view would be, Mr. Chairman, I would be disposed favorably toward such a program. Indeed, as I understand it, and I don't understand it fully, but to the degree to which I know about the program, it looks very much like the sort of programs we were running at the National Endowment for the

Humanities except that they are for teachers of English, history, foreign languages and the like.

The strengthening of skills and the ability of teachers to have mastery of their material is a necessary condition for effective education. Obviously, the responsibility for this is widespread and has to be distributed. States and locales have to pay the major responsibility and major attention to this. Also, I think business, particularly high-tech business, should be mindful of this need in the schools. I do think the Federal Government can have an appropriate, if limited, role.

The CHAIRMAN. Thank you. I will reserve my further questioning and turn to Senator Kennedy at this time.

Senator KENNEDY. Thank you, Mr. Chairman.

First of all, Dr. Bennett, directing your attention to the Stockman proposals which would cut the $2.78 billion from the student financial aid over 3 years. This would come from the guaranteed student loan program. Only those students from families making less than the $32,500 would be eligible for subsidized loans. That would be most families, at least in my State. Usually the mother and father are working. $17,000 per year is still a good income, but what you are saying to those families that make any more than that, even if they have more children, is that they would not be eligible, or are you saying that?

It has been the estimate of the CBO that you will be affecting between 800,000 and 900,000 students. That would be self-evident if you are going to have the kind of savings that the administration has been talking about, and you are putting the limitation of the loans up to $4,000 which, as I understand it and if I am wrong, correct me, eliminates the possibility of any student who, on the basis of merit, would be able to attend a private university or private 4-year college from attending based upon the figures that I have, Trends in Student Aid, Update, the College Boards, which gives the costs for tuition.

First of all, are you supporting that particular proposal of Mr. Stockman?

Dr. BENNETT. Senator, I, of course, had no role in the preparation of the administration's proposal. I know only in the most general terms about it. If confirmed, of course, I would want to take a close look at it and work with Members of the Senate and interested Members.

Senator KENNEDY. But what is your initial reaction to it?

Dr. BENNETT. Well, my initial reaction would be to expect that such a provision would have tough consequences, would be difficult for many people such as the people you describe. On the other hand, one recognizes, at least I think we all recognize that some limit is appropriate. It is a question of where to draw the line.

Senator KENNEDY. I am just wondering—I want to be perhaps more precise—how do you react, just viscerally, to the fact that evidently now we are going to be putting the dollar sign on the colleges and universities across this country and that we are moving away from a concept which, I think, had been accepted by many in our society, and that is that individuals, if they were able on the basis of merit to be able to gain entrance into college that at least they would be able to put together a package, so to speak, to be

able to be financially eligible to gain that entrance. There have been many who, as a matter of principle and as a matter of value, find it repugnant that we are going to be nailing the dollar sign back on the doors of universities and colleges across this country and effectively denying that opportunity for qualified individuals whose parents, both of whom may be working and may be blessed in this situation by having more than one child and whose children can gain the entrance and meet those requirements.

Is it going to be this administration's position that they are going to say no to those families and from you, as a leader in education, I want to know whether you are going to fight that proposal or whether you are going to acquiesce in that proposal or whether you believe it just needs more study?

Dr. BENNETT. Before I can answer, Senator, I need to see the figures. I need to see the tables. I need to see the impact of this provision and know it in more detail and then have some sense of what the alternatives are.

I have no argument with you about the principle which, I take it, we could all agree is an aspiration that no student who is qualified on the merits should be denied the opportunity of going to college or university of his choice, because, I take it, here we are talking about students making their own choice. The cost of public education, I do know, in this country does run about $4,000 or less. So, we are talking about, I guess, for the hardest hit people, people who are planning to go to private institutions.

I don't argue with that principle at all. However, supposing it is the case, and my guess is it is, that the amount of funds that we are talking about that would make our meeting that aspiration possible is simply beyond the realm of possibility in current budget circumstances. Then, I suppose, one asks where do we cut? Where do we make the decision?

My own visceral inclination, as you asked for it, would be to say we should help those who are most in need, those who are the neediest, those who are the poorest. This will mean a hard impact, a difficult circumstance for many people at the middle or even just below the middle level. However, I think if there are limited dollars, and my guess is under any proposal there will be limited dollars, those who are the poorest should be helped first.

Senator KENNEDY. I appreciate your response. This is against the fact that there has been a reduction in terms of the support of education of about 35 percent in the period of the last 4 years. So, there has already been a significant belt tightening. I know it is being felt by the families in my own State.

I want to move along rapidly because we have a lot of other Senators, obviously, and a lot of areas to cover.

Second, the reimbursement requirements from States, the proposal by Mr. Stockman that if there is going to be the failure, the default on certain scholarships, that you are going to take it out of the State's allocation and therefore penalize the students because of the failure to develop, within the Department, an effective process for gaining the reimbursement on the basis of loans. That is a concept. How do you react to that?

Dr. BENNETT. I didn't know about that. This is the first time I have heard it.

Senator KENNEDY. Well, are you troubled by the fact that, as someone who has been, as I understand it, an effective administrator, that the Department can't work out an effective kind of administrative procedure for the recovery of those loans? Also, could you give the committee at least some assurance that you would try that route before you would penalize the States and ultimately the students?

Dr. BENNETT. I certainly would be looking for an instrument that is a little more precise. I think that would be advisable.

Senator KENNEDY. I am not sure I understand what precise means. Would you try to recover from the individual prior to penalizing the State? Could we get any assurance out of you on that?

Dr. BENNETT. Of course. I would certainly want to look at that. I take it one of the difficulties, one of the truly frustrating things in this whole area is that while we are talking about the kinds of circumstances that you described in your question, there is this terrible default rate. There is a terrible account of people getting these grants who are not eligible, a lot of fraud in the program, and so on.

Senator KENNEDY. About $200,000 out of the $3.2 million now. That is a lot but it is also a lot that are repaying. Yes, as the chairman of the committee, I hear him mention less than 10 percent. I am sure he will get into this issue.

Finally, on the issue of affirmative action, you are well aware of some of the reports that have questioned your commitment to that concept. I am just wondering—you have also made reference in your statement here about enforcing the existing laws—we have seen over a period of years, we are knowledgeable, one, of the law, certainly in the *Bakke* case that outlaws quotas and, second, also recognize the desirability of goals, even in the *Bakke* case specifically. We have seen where both States, private institutions, public institutions have established goals to reduce discrimination against women and minorities.

We would like your reaction to those particular efforts, particularly the requirements, even by law, that State departments of education develop such goals and standards. I won't go into the particular legal case, but I have the *Adams* v. *Bell*, and the case involves State systems of higher education and provides a requirement. There is now a circuit court order on the Department to require those plans to be issued by the Department by the—I guess next fall—or otherwise risk having their funds cut off. But give us just generally your reaction to the issue of affirmative action for women and minorities.

Dr. BENNETT. Senator, my views have been discussed a fair amount publicly and often, I have to say, inaccurately. I am a proponent of affirmative action, the original meaning of affirmative action which means, in the context of employment where the question came up, in my case, that one should look for qualified candidates wherever they may be. One should cast a wide net in the locution one uses.

We have made excellent, I think, efforts in this regard. We have increased our efforts at advertising and recruiting for positions way beyond anything that was done before I came to the Endowment.

Second, in terms of the provisions of the Department of Education or, indeed, the provisions of any other department, I will obey the law and enforce the law. I have obeyed the law and enforced the law. I don't think there is any question that legal adherence is not at issue here.

Senator KENNEDY. My time is up, Mr. Chairman. I want to thank you.

The CHAIRMAN. Yes, it is. We will turn now to Senator Nickles—excuse me—Senator Stafford, the chairman of our subcommittee.

Senator STAFFORD. I would be glad to ask these questions, Mr. Chairman, in Senator Nickles' name. [Laughter.]

The CHAIRMAN. I will learn to skip over anybody after this. [More laughter.]

Senator STAFFORD. Dr. Bennett, as I listen to your opening statement, I notice several times you referred to the Department of Education—I hope that my cold and this poor system will allow you to hear what I am saying, but as I say, as I listened to your opening statement, I heard you refer to the Department several times. On page 3 of your statement, you said, "I believe the Department of Education must exercise vigorous leadership in enunciating and promoting the educational aspirations of the American people."

I particularly endorse that part of your statement, and I have noted it because my first question is, Dr. Bennett, do you support continuance of the Department of Education substantially in its present form?

Dr. BENNETT. Senator, as you know and as we discussed, and I am here to say to the full committee, I was not asked to dismantle the Department or abolish the Department. I was asked to make a study of the Department's effectiveness. Obviously, it is not within my authority to abolish the Department. That authority rests with the President and the Congress, but I am happy to say that I have no interest, I believe, really very close to your remarks, in spending the next 4 years debating whether there should be a Department of Education. There are more important things to do.

Senator STAFFORD. In a word, do I understand you have answered yes or no? [General laughter.]

Dr. BENNETT. I have no either particular assignment or intention to abolish or dismantle the Department. I shall do the study that the President asked me to do.

Senator STAFFORD. Given the importance of Federal education programs and the need to reduce the Federal deficit, which we all recognize, would you support a freeze in spending for Federal education programs?

Dr. BENNETT. Sir, I think the general approach of the administration here of a freeze is a sound one. Again, along with not being tasked to abolish the Department, I was not asked to gut the Department. I think the general freeze notion is proper and appropriate given the time and circumstances, and I think that notion applied to the Department is a sound way to go.

Senator STAFFORD. I would agree provided, of course, the freeze is an across-the-Government freeze and not applied selectively to a few departments of the United States Government.

As many longtime observers agree, there is more than one way to dismantle an executive branch agency. The members of the Education Subcommittee, many of us at least, are very concerned about rumored reorganization plans which would contravene, we believe, the intent of Congress for the content of the Department and program objectives. In particular, there have been rumors in the last few weeks about efforts to eliminate the National Institute of Education and transfer the functions of the Office of Civil Rights to the Justice Department.

With respect to NIE, let me point out that this concern is shared by the chairman of the Senate Appropriations Committee, Senator Hatfield who has written me a letter from which I will quote one short paragraph. He says:

> As you know, I have a strong interest in the NIE and believe that the new Secretary should have a clear understanding of congressional commitment to that institution. Reports about possible elimination or cutbacks in the agency concern me deeply. Your willingness to pose questions about this particular matter would be appreciated.

I already had intended to pose this question: Since I would strongly oppose either of these initiatives, that is, to do away with NIE and transfer the Office of Civil Rights to Justice and believe that many others would also, what is your position on these two issues?

Dr. BENNETT. Let me deal with the second one first. It would seem to me, without being there, that it is appropriate to have an Office of Civil Rights at the Department since so much of what the Department does from a base, from a bottom line of providing equal opportunity to all of our citizens. I also understand that the Office of Civil Rights has improved its performance, it has brought its work up to date, and doesn't suffer from the backlog it used to. So, my initial reaction would be to leave it in the Department.

In terms of the National Institute of Education, I don't know what ideas specifically are being discussed or being rumored, but I would say in general that the kind of work that falls under the Department's general information gathering and research gathering functions are among the most important functions, I believe, that the Department performs. It was out of the NIE that the National Commission on Excellence and the recent report on higher education came. I think this is a very important part of the agency.

Senator STAFFORD. Thank you very much.

Will you be an advocate to the President, and I hope you will, for a strong Federal role in education and will you fight for more funding for important programs and against efforts to eliminate programs when more money may be available on that issue? I will just ask you the direct question on eliminating programs.

Dr. BENNETT. Well, I would have to say that I think I would like to approach the job in the same way I did at the National Endowment for the Humanities. There, some programs were eliminated because they were duplicative. We were doing some of the same things in three or four different places, yet we started some 20 or 21 new initiatives. I like administration. I like administrative work, and if there are things that the Department isn't doing that it should be doing, I would like to propose them. If, on the other hand, there are things we are doing that are redundant or duplica-

tive or are there but nobody knows the reason why, which is something I found once or twice at the National Endowment, then I would want to look for ways of either eliminating them or putting them somewhere else.

It is my own belief that when a person takes on administrative responsibility, they ought to be given some opportunity to shift things around, but again, from your first question, I am not a revolutionary or a subversive, and I would try to do these things as deliberately and thoughtfully as I could.

Senator STAFFORD. All right.

Would you support a recommendation to require a financial needs test to receive funds under 94-142? That is the program for education of handicapped children.

Dr. BENNETT. I don't know. I simply don't know enough about the background of it, Senator. I am sorry.

Senator STAFFORD. Would you be willing to consider that and provide this committee with an answer as speedily as possible?

Dr. BENNETT. I certainly will.

Senator STAFFORD. Finally, since my time is nearly up, do you endorse the recommendation proposed in the recent Heritage Foundation report that the Federal Government should limit its support for the education of handicapped children in this country?

Dr. BENNETT. That it should limit its support?

Senator STAFFORD. Yes.

Dr. BENNETT. I am not familiar with the particular recommendation. If I understand it, they are saying there should be some limit? I suppose that goes without saying. There should be some limit. The question is what limit. I am sorry; I don't know the details.

Senator STAFFORD. Rather than take you by surprise here, these are questions that will be of interest, I am sure, to Senator Weicker. If you could review your thinking and supply a written answer to the committee at your earliest convenience, we would appreciate it.

Dr. BENNETT. Sure. I will look at that recommendation from Heritage.

Senator STAFFORD. All right. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Pell?

Senator PELL. Thank you, Mr. Chairman.

Mr. Chairman, I would ask that the record be kept open so that other Senators could file written questions.

The CHAIRMAN. We have already so ordered, and we will keep it open.

Senator PELL. Good. Also, I would suggest that these answers come in in time for the committee to take action on reporting out the nomination.

The CHAIRMAN. Well, I am hopeful that we can get the answers back in a relatively short period of time, maybe within 24 hours and——

Dr. BENNETT. Certainly. You can have them by tomorrow morning.

The CHAIRMAN. Then, I am hopeful that the committee will move with dispatch, assuming that everybody feels happy about this.

Senator PELL. Thank you.

Dr. Bennett, there is now a $4,000 cap, or the President is proposing, OMB is proposing a $4,000 cap on the amount of Federal aid that a student can receive in a year. My understanding of the estimate as to how many students would be affected is 430,000 or almost half a million. If this is so, and if, as I am informed, half of those who will be affected come from incomes of less than $12,000, three quarters come from families with less than $25,000, it would seem to me that this is a pretty draconian proposal. I was wondering what your reaction was to this thought?

Dr. BENNETT. Well, as I said to Senator Kennedy, Senator Pell, there is no doubt that this provision, if enacted, would have difficult consequences for many people. I would look forward to working with the committee to talk about this, to see if a different figure should be or could be arrived at, and I began, of course, of the larger questions of the need to put a cap or limit somewhere. I don't know enough, again, about the details of either the proposal or its impact, but I would want to study it and come to you in good faith to discuss it.

Senator PELL. I would hope that out of that discussion would emerge an agreement or solution that would not knock out 430,000, not knock out but at least affect, 430,000 young students.

Another question in this regard, is the college work-study program included in the cap that the administration is proposing?

Dr. BENNETT. I am sorry—is the work-study program included?

Senator PELL. Included in that cap?

Dr. BENNETT. I don't know. I am sorry. Again, I have only the most general acquaintance with the provision.

Senator PELL. If you could submit that information——

Dr. BENNETT. I will find out.

Senator PELL. I realize that it was rather bad luck for you that the OMB came out with its recommendations one day before your hearing.

Dr. BENNETT. Yes, sir.

Senator PELL. I thought, being as political as they are, they would have reversed the timeframe there.

If the administration's plans are to restrict the grant eligibility to students with families with incomes of less than $25,000, do you have any idea how many students would be affected by that?

Dr. BENNETT. I don't.

Senator PELL. The American Council of Education says between 140,000 and 150,000. Again, that would seem to be too many.

I would look forward to engaging in discussions with you as we move down the road to try to reach some sort of compromise.

Dr. BENNETT. Yes, sir.

Senator PELL. The default rate now which, as you pointed out, is simply horrible, is currently 10.9 percent. As part of the 1980 amendments, I included a provision to report those in default to credit agencies. In other words, those in default, their names, would be given to the credit agencies, the theory being that anybody who wants a credit card has probably made it and can afford it, and if they don't want a credit card, they probably can't make it and can't afford it. So far, this procedure has not been implemented very well.

Do you know anything about this procedure?

Dr. BENNETT. I don't. It sounds ingenious, but I don't know anything about it.

Senator PELL. I wish you would look into it. It is in the legislation.

Dr. BENNETT. I will.

Senator PELL. I don't expect an answer on this within 24 hours, but I would hope soon you could look into it and give me a report as to why this program is not working more effectively, why we have a 10.9 percent default rate now, and what we can do to reduce it. We already had it too high some years ago. We got it back, and now it apparently is going up. I think we ought to focus on that prior to knocking out a lot of students, and I would hope to get your thinking on that.

For several years, I have introduced legislation to provide Federal assistance in the area of corrections education, the reason for this being, as you know, it costs more than twice as much to send a young man to jail as it does to send him to Harvard or Yale or one of the so-called Ivy League colleges and four times as much as sending him to a public institution. So, obviously, if we can keep people out of jail, we save money as well as make our citizens' lives more calm.

In this regard, Secretary Bell was very sympathetic, and we included a 1 percent set-aside in the Vocational Education Act. Are you familiar with this question of correctional education in Federal institutions and, if so, what would you do to push that along?

Dr. BENNETT. I am not, sir, not in the context of the Department of Education, I am not. I am sorry.

Senator PELL. Again, it is included in that. There have been studies in the Department, and I do hope you will familiarize yourself with it because it is of importance.

Dr. BENNETT. I certainly will.

Senator PELL. Also, in working with the Department of Education over the last few years, I have, as I mentioned to you earlier been much impressed with the excellent job Ted Bell did in a difficult slot. I was also very impressed by the work done by Under Secretary Jones and Assistant Secretary Ed Elmendorf. I was wondering what your plans were with regard to their retention and what their plans were?

Dr. BENNETT. I have no plans at this point, Senator, in regard to personnel. It would be presumptuous of me. I, indeed, have heard by mail and by phone by, I would guess, a multiple of three the number of people that there are in the Department of Education right now, and I would look forward to sorting that out once confirmed, but at this point, I have too many requests and other things on my mind to take personnel considerations into account.

Senator PELL. I just do commend those two men to you. They have done an excellent job.

Dr. BENNETT. Yes, sir. I note that.

Senator PELL. What is your position with regard to a national test of academic achievement for high school students, a voluntary test.

Dr. BENNETT. Well, I think it is an interesting idea. I notice that Terrel Bell talked about it recently. I note, too, that the American people are very much behind the idea of a national examination.

Senator PELL. It would be a voluntary test.

Dr. BENNETT. Yes. It wouldn't be, as I understand it, or at least the proposal that I would be interested in wouldn't be a Federal examination. It would be a national examination and it would be voluntary, but as some way of finding out how we are going as a nation overall and some way of making comparisons, it would be, I think, interesting and worthwhile.

Senator EAGLETON. Does interesting mean you support it?

Dr. BENNETT. Yes.

Senator EAGLETON. Thank you.

Senator PELL. Along the same line, you have suggested the establishment of a national core curriculum. I wonder if you could elaborate on your idea of a core curriculum? Would that be in high school that you are talking about?

Dr. BENNETT. Yes. I don't know that I really proposed a national core curriculum so much as that I said I thought, on the basis of some survey that we did at the National Endowment for the Humanities, that most Americans thought there ought to be some common learning experiences, some things, books, ideas, notions that we all have in common, that we share which form a base for us to be able to talk to each other. Again, the last thing to be done would be to mandate from the Federal Government such a curriculum. Of course, it couldn't be done nor should it be done, but the idea of trying to gather to the degree that we can some consensus about what the elements of such a curriculum might be might be a worthwhile exercise.

As you know, Senator, we made a stab at that at the Endowment when we did this survey and asked people what should every high school graduate. The thing that interested us was the remarkable degree of congruence in the answers. There were, of course, hundreds of titles given, but there were five or six titles that kept coming up over and over again.

Senator PELL. Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

We will now turn to Senator Nickles for the second time.

Senator NICKLES. Thank you, Mr. Chairman. I didn't catch your opening comments, but could you tell me when you are hoping to report Dr. Bennett out?

The CHAIRMAN. Well, I would hope we could report him out at the earliest convenience.

Senator NICKLES. This week or next week?

The CHAIRMAN. Well, it depends on the committee. I have asked Senator Kennedy to consider reporting him out quite early if we can.

Senator NICKLES. Thank you.

Dr. Bennett, as Secretary of Education, you will be the vocal spokesman for education in the Nation. The task force and the report on excellence in education helped elevate the education discussion throughout the country. I and other Senators on this committee had discussions in their States on how we might be able to upgrade the quality of education and implement the recommenda-

tions which were many. A lot of it did deal with curriculum and encouraging the States and local school boards and districts to emphasize more of a core curriculum on the basics. Do you support that thrust?

Dr. BENNETT. In general, I do, yes, Senator. I think that is the right idea.

Senator NICKLES. There has also been some discussion on the dollars spent on education, and that is almost a different discussion altogether. Just in glancing at the total amount of moneys that have been spent on the Federal level in education, there has been an increase, although, albeit it may have been less than some would have liked or anticipated. However, in 1981, it is $14.9 billion. Last year, or in fiscal year 1985, $17.6, so there have been increases. The greatest percentage of that money is loans and, as you have heard from other committee members, there is some concern over the income limitations or restrictions as far as eligibility on those loans.

To echo your comment, I don't know that there is enough money, Federal money, available for all the demand or potential demand for subsidized loans. I share your thought that if there is a limited amount of funds, which I believe there are, it makes sense, at least on the Federal level, to try to ensure that those moneys would be available for those that are on the low end of the economic scale. Those that are on the higher end of the economic scale should be able to provide those by their very definition in a manner more acceptable than those on the lower end.

One area that I would hope that you would look at, also in that same field, is a measure that Senator Pell and I introduced a year or so ago. It is a stipulation that requires students in Federal aid to maintain some degree of quality of grades, passing grades. GAO did a study and found out that 20 percent of the recipients of Federal aid in education had less than a C average and 10 percent had less than a 1.5. Again, if they are receiving subsidized Federal loans, the concept should be that they should maintain something close to passing. It wasn't very strict but, again, it might help reorient the money to those who really need it and those who are willing to put out some effort to earn it.

Dr. BENNETT. Yes, sir; I agree with those sentiments very much.

Senator NICKLES. I thank you.

Thank you, Mr. Chairman.

The Chairman. Thank you, Senator Nickles.

We will turn to Senator Eagleton.

Senator EAGLETON. Thank you, Mr. Chairman.

Dr. Bennett, I asked you to send up this morning a copy of your report, "To Reclaim a Legacy," a report on the humanities and higher education. I read the report. I think on balance and on the whole it is an excellent report, and I particularly subscribe to page 9 where it says, "Based on our discussions, we recommend the following knowledge and humanities as essential to education." I won't bother reading the entire page, but they would be essentials in my judgment as well, and I thank you for sending up the report.

Dr. BENNETT. You are welcome.

Senator EAGLETON. I don't want to be duplicitous and repetitive, but I would like to get a clearer understanding of whether you do

or do not favor a Department of Education. Practically every educator that I have talked to, both at the elementary and secondary level and at the collegiate and university level, has an opinion on the subject. They don't all agree. Some are for it and some are against it. Terrel Bell, when he was in the private sector, or professional sector, in Utah before coming to the Department favored the Department of Education.

So, let me pose it to you this way: Back in 1979, when we were debating this and passed out the Department of Education, you were teaching at the University of North Carolina State. Right?

Dr. BENNETT. I was in North Carolina, yes. I was at the National Humanities Center.

Senator EAGLETON. And you were doing some teaching there in philosophy, weren't you?

Dr. BENNETT. Yes, sir.

Senator EAGLETON. OK. Well, the academicians must have a faculty lounge or what have you and, from time to time, they must have sat around and said, "Hey, those crazies down in Washington are about to create a Department of Education. We at this table favor it," or "We at this table deplore it," or "We at this table have some feeling about it." Were you a total cipher? Were you an absolute academic neuter insofar as the Department of Education was concerned back in 1979? [Laughter.]

Dr. BENNETT. Yes——

[More laughter.]

Dr. BENNETT. I am afraid I was. I would have to say that—and I think most of my colleagues were—I do not recall ever having a single, palpable thought about the Department of Education in 1979. I imagine that I, like most of my academic colleagues, was much more concerned with the fellowship budget at the National Endowment for the Humanities than I was with the creation of the Department. I think that would not be atypical for humanities academics of my background.

I remember that there was a debate going on about it. I do not remember even spending enough time to think about how I came down on it.

Senator EAGLETON. It was a heated, contentious debate. [More laughter.]

It was enormous. I received hundreds, indeed, I guess, even thousands of letters out of my home State from academicians, at the University of Missouri, from various State campuses, et cetera, taking very strong positions, pro and con, on the issue. And North Carolina State just slept through all this? [Laughter.]

Dr. BENNETT. No; the philosophy department slept through it. [More laughter.]

I don't mean that to be flip. I am sure the provost and the president—President Friday—and others had a view on it, but they paid those of us who were teaching philosophy not to worry about those things. If I had had real thoughts about it at the time, Senator, I would tell you. I honestly cannot remember any.

Senator EAGLETON. All right.

Now, it has been created and——

Dr. BENNETT. And now I am inside the beltway.

Senator EAGLETON. And you are going to run it.

Dr. BENNETT. Yes, sir.

Senator EAGLETON. Do you like it or not?

Dr. BENNETT. I don't know yet; I haven't been there. It is an administrative department of Government.

Senator EAGLETON. And you can't tell me whether the Department that you are going to be devoting 4 years of your life to should, in fact, exist?

Dr. BENNETT. I don't think I have the luxury of an uninformed opinion anymore.

Senator EAGLETON. When will it be informed in this issue?

Dr. BENNETT. I hope it will be informed during the time I am conducting this study for the President.

Senator EAGLETON. But isn't that a relevant consideration for us to examine before you embark upon heading up a Department about which you have such lethargic and neutral feelings that one could question whether you are the person to head it?

Dr. BENNETT. Well, part of what I can say, and maybe this is helpful or you would find it helpful, as I said to Senator Stafford, I have no interest in spending a large part of my time in the next 4 years debating the question of the existence of the Department of Education. Second, I recognize, I hope, political reality. The President announced his intention to abolish the Department in 1980. The President has recently said that there aren't very many votes for it. The President is realistic on this question, and, I think, correct.

As I think about what I would do, if confirmed, I have to tell you that the first things that I think about doing are not sitting in a room and wondering about the existence of the Department but going to work and looking at each program and trying to determine its effectiveness and operating with what is a given for me, which is the Department.

Senator EAGLETON. Now, you said at North Carolina State in 1979, they were vitally concerned in your philosophy department about grants from the Humanities. Right? That was a big topic. They were very concerned about that because they might get some of those.

Dr. BENNETT. Not a big topic; a bigger topic than the existence of the Department.

Senator EAGLETON. So, when you embarked upon the National Endowment for the Humanities, you did that with vim, vigor, eagerness, great anticipation, and enthusiasm. That was really your bag and, boy, you wanted at that one, didn't you?

Dr. BENNETT. I was very interested in going to work at the Endowment because of my interest in the humanities, particularly my interest in education in the humanities.

Senator EAGLETON. And this is sort of ho-hum?

Dr. BENNETT. No, it is not. It certainly is not ho-hum, but it does not seem to me that, if you will allow me, the making of a priori judgments about the metaphysical question of the existence of the Department of Education is a necessary condition for me to be enthusiastic. I am enthusiastic about this position because I am very interested in education. I have, I think, shown my commitment to education throughout my life and, most recently, at the National Endowment for the Humanities.

This is, to put it squarely, this is an opportunity for me to talk about and to work in areas in which I have been working all my life, and I am very interested in doing that. The question of the existence of the Department, it seems to me, is a question that, in my mind, will, for all practical purposes, be put to the side given political reality and given that it is not my decision to make.

Senator EAGLETON. When were you notified first that you were going to be nominated for Secretary of Education and who notified you?

Dr. BENNETT. I got a call from the President's secretary asking me if I could be in the Oval Office—I got a call at 10 in the morning asking me if I could be in the Oval Office at 11:40.

Senator EAGLETON. What date was that? Do you remember the date?

Dr. BENNETT. January 10th.

Senator EAGLETON. January 10th. And, since that time, not a long period of time indeed, you have had no conversations with Mr. Stockman or anybody of that stripe with respect to budgetary matters relating to education the like of which have been discussed by Senators Kennedy, Pell, Stafford, and others?

Dr. BENNETT. I had a very brief conversation with a member of the Office of Management and Budget who gave me a general, a very general, picture of the administration request.

Senator EAGLETON. They gave a picture to you. Did they ask any advice from you, the new incoming Secretary of Education, as to what you thought about the outreach of these budget cuts?

Dr. BENNETT. No, they didn't. What they said was they thought I should be in a position to know something about——

Senator EAGLETON. Well, that was nice of them.

Dr. BENNETT [continuing]. About the budget proposal.

Senator EAGLETON. Did they think you were in a position to defend them?

Dr. BENNETT. I take it it was their view that I should know more later if confirmed.

Senator EAGLETON. But all that would take place after we had confirmed you as Secretary of Education.

Dr. BENNETT. I am sorry?

Senator EAGLETON. All of which would take place after we had confirmed you as Secretary of Education and we would wait and see what your reaction was to the budget later on.

Dr. BENNETT. Yes, if I follow. I think that is right.

Again, I have been here in Washington. I am no stranger to this committee. I was confirmed by this committee. My record at NEH is a public record. My testimony before committees three times on our budget and other matters is also a matter of public record. What I am saying is, I am not trying to say I just don't know and we will have to see about everything. It would be presumptuous of me to talk about things in detail where I do not know the details, but I do have a record and I would be happy to talk about that.

Senator EAGLETON. If confirmed, you will pursue these duties with the same degree of enthusiasm with which you have been pursuing your duties with respect to the National Endowment for the Humanities?

Dr. BENNETT. I would have to say, sir, I am more enthusiastic about this opportunity than I was for the National Endowment for the Humanities.

Senator EAGLETON. Even though you are not so certain that the job on which you are about to embark should exist in the first place?

Dr. BENNETT. I would have to guess, as best I could, that I will not be out of work, if confirmed, in the next 6 months because there is no Department of Education. It may be for other reasons. I wouldn't predict that, either, but I do not think that is likely to happen.

If I could just say again, I have been lightly reprimanded, I would say, by the House Appropriations Committee for our work at NEH in which the chairman said he thought that we were perhaps spending too much time in education at the NEH. I think that may be true, not in terms of our funding, but in terms of our interest and my particular interest, but I take that as an indication of my greater interest, in fact, somewhat greater interest in education generally than in the humanities generally. I have done that job; I would be very happy to do this one.

The CHAIRMAN. Senator, your time is up. We will turn to Senator Weicker.

Senator WEICKER. Dr. Bennett, do you think there is a 6-month study going on over at the Department of Defense as to whether or not there should be a Department of Defense?

Dr. BENNETT. I don't know, Senator.

Senator WEICKER. Do you think there are any self-doubts on the part of the Secretary of Defense as to his agency or his job?

Dr. BENNETT. I doubt it, sir. I wasn't asked to conduct a 6-month study as to whether there should be a department.

Senator WEICKER. Well, so we put this in proper context. The two biggest portions of the budget are defense and that which relates to education, health, et cetera. I think that properly frames the queries that have been made heretofore as to the importance of this particular agency. It isn't just a question as to a law passed by the Congress but rather, if indeed importance is related to the dollar; then clearly, it is the second most important agency of Government.

When your nomination was announced, you held well publicized discussions with many conservative political groups whose avowed interest is the dismantling of the Department of Education. Was this your idea?

Dr. BENNETT. No, it was not my idea.

Senator WEICKER. Could you tell the committee whose idea it was?

Dr. BENNETT. I cannot tell you whose idea it was. I can tell you that I was called by, I guess, two different people and invited to this meeting on two different occasions.

Senator WEICKER. Who were you called by?

Dr. BENNETT. I was called the first time by Connie Marschner of, I believe, the Committee for the Survival of a Free Congress. I believe that is her name—I know that is her name; I believe that is the name of the organization.

Senator WEICKER. And the second call?

Dr. BENNETT. The second call—there were three calls—the second call also came from Ms. Marschner, and I received a third call from the Office of Presidential Personnel, the White House.

Senator WEICKER. And who from the Office of Presidential Personnel called you and what was their advice to you?

Dr. BENNETT. I was called by Ms. Lynn Ross Wood of the Office of Presidential Personnel. The advice to me was to attend the meeting, that they requested that I should attend this meeting.

Senator WEICKER. Was this by virtue of a request of either Mr. Herrington or Ms. Dunlop or was this strictly by this other individual?

Dr. BENNETT. I can't say for sure, Senator. I believe in the conversation Ms. Wood referred to Ms. Dunlop's interest in my going.

If I could give a bit of background about it, the reason for that call, I suppose, and the reason I got two calls from the first person I mentioned was that I understand their interest in talking to people and hearing their views, but I wanted them to understand mine and my reasons for objecting to the invitation. When the invitation was tendered to me, I objected and said I did not want to attend. I didn't think it was appropriate to attend. I said that there was going to be an opening at the Department of Education. I did not want to appear to be campaigning for the position. I didn't think that was appropriate and didn't think it was appropriate in any way, direct or indirect, to put that kind of pressure on the White House.

I said the same thing at the time of the second call, and my best guess is that is what precipitated the third call, that is, the call from Presidential Personnel, saying to me that they did not interpret this as pressure on them and that they would like me to attend this meeting.

Senator WEICKER. Did you indicate to the White House your reservations on attending the meeting?

Dr. BENNETT. I did. I said, "All right. I will go, but I don't think it is a good idea."

Senator WEICKER. Well, I have before me a page out of the Moral Majority report of February 1985, and in the column, "Under the Capitol Dome," the subparagraph that reads, "Finally a Friend in Education":

> Undersecretary of Education, Gary Jones, has been trying for months to convince Administration officials that he was 'the friend of the new right' during the decision process for naming a replacement for Secretary of Education Terrel Bell. The fact of the matter was that Jones had even refused to meet with conservatives to discuss his positions on the issues. Apparently the President wasn't fooled. His appointment of William Bennett as DOE Secretary last week was a clear indication the President understands who his friends are. Bennett talked with conservatives consistently during the decisionmaking process and even met with more than 30 conservative organizations at one particular meeting to discuss his conservative credentials. There is certainly a clear message to Mr. Jones by the appointment of Bennett and let's just hope that Bennett understands that message and removes Jones from DOE after taking office.

Now, I gather in response to the questions by Senator Eagleton that you indicated that there was no discussion of the Department of Education at the University of North Carolina. On the other hand, is it safe for me to assume there was discussion of the Department of Education when you met with these conservatives?

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Dr. BENNETT. There was, in fact, brief discussion; not, frankly, as long as I thought it would be, but it did come up, yes.

Senator WEICKER. And the nature of the conversation being the elimination of the Department?

Dr. BENNETT. As I recall, the first question I was asked was, "Would it be your intention to abolish the Department of Education?"

Senator WEICKER. And your response to that?

Dr. BENNETT. My response was, "It is not in my authority to do that. It is the President's decision. If the President asked me to take this job, to be the nominee, and he asked me to do it under circumstances of would I take it if I were pledged to abolish it, I would say if I took it then I would be pledged to abolish it."

I answered in the hypothetical. I did not commit myself to any course, and I did not make any promises. As you know, the President did not send me on that task. I have not been asked to do that nor was that an understanding, tacit or otherwise, in our conversation.

Senator WEICKER. I think it is important, Mr. Chairman, to note that I have met previously with Dr. Bennett and representatives of the White House and I have made it known to him and to those representatives that it would be my intention to go at this matter rather slowly in the absence of any firm commitment by the White House for the continuation of the agency that this man is being sent up to head, and Dr. Bennett knows that. I have expressed myself to that extent and I so expressed myself to you at the time.

The CHAIRMAN. Senator, if you would yield just for a second, I really don't know what all the uproar is over about the Department of Education. There is, in my opinion, no way this committee is going to do that under its present membership. There is no way the Congress is going to do that. For us to work ourselves up over that particular issue, it seems to me, whether you are for it or against it, is a waste of time. I think, basically, that is what Dr. Bennett has been saying, rightly so, and it doesn't take any brains at all to realize that there just isn't any possibility of the Department being dissolved or abolished at this point.

I see a lot of irritation on the committee about that issue. We all know President Reagan would like to have abolished it. He has acknowledged he can't do that. This committee has basically told him he can't do that. So, personally, I don't see why anybody should be upset over that issue.

Senator WEICKER. Well, I will tell you what I think the upset comes from. The upset can be put at rest very easily by either a simple statement by the nominee that he is for the Department—then there wouldn't be any uproar—or a simple statement by the President that he is for the Department. The difficulty has been in the past with many agencies or various public laws which the administration opposes is that, via another route, the agency or the law will be gutted.

I think that we don't have the time on this particular committee to have a Secretary that is anything other than for the cause of education in its various forms. We don't have the time, in other words, to be looking over our shoulder at the Secretary of Education. We should be allied with the Secretary of Education.

The CHAIRMAN. Would the Senator yield and allow me to ask just one question to see if we could put that to bed? Would you yield?

Senator WEICKER. Yes, go right ahead.

The CHAIRMAN. Thank you.

Dr. Bennett, so long as the Congress does not desire to abolish the Department of Education, will you be for the Department of Education regardless of what anybody else thinks you are for or against?

Dr. BENNETT. Yes, of course.

The CHAIRMAN. You will be for making the Department of Education the most well functioning agency of Government——

Dr. BENNETT. Yes, sir, I will.

The CHAIRMAN [continuing]. Unless the Congress tells you otherwise?

Dr. BENNETT. Yes, sir, that is right.

Senator WEICKER. Then, let me ask the question, what if the President indicates to you otherwise?

Dr. BENNETT. If the President indicates——

Senator WEICKER [continuing]. To you otherwise, that he wants the Department eliminated.

Dr. BENNETT. Then, it seems to me, it is up to the President and the Congress to make that decision. Meanwhile, I will stay at the energetic direction of the Department for——

Senator WEICKER. Well, since there is no question as to the existence of the Department of Education, what is this 6-month study all about?

Dr. BENNETT. The 6-month study, as the President said and as was said in the press release, was to report back to him on the effectiveness of programs at the Department and, in general, the effectiveness of the Federal role; that is, how are we doing, can we make things better, what should we be doing more of, and what perhaps should we be doing less of. Mr. Speakes, I should say, in talking about that statement of the President, said that this statement should not be interpreted as raising the question of the existence of the Department at all.

Indeed, in my conversation with the President, he said, "I would like to know your views of how to make those programs work more effectively." The question of abolition did not come up.

Senator WEICKER. Is my time up?

The CHAIRMAN. It is, but I took a little bit of your time, and I would be happy to——

Senator WEICKER. Well, let me ask one more question.

The CHAIRMAN. Sure.

Senator WEICKER [continuing]. And then I will yield, because I have further questions for response.

On several occasions, you have appeared on conference programs with or cosponsored by Rev. Jerry Falwell. What is your reaction to the following statement by the Reverend Falwell, and I quote, "I hope to live to see the day when, as in the early days of our country, we won't have any public schools. The churches will have taken them over again and Christians will be running them."?

Dr. BENNETT. I disagree with that.

Senator WEICKER. The Department of Education's Region VIII representative in Denver, Thomas G. Tancredo, recently distributed, at Government expense, a lengthy statement to Christian schools in his region, a statement which says, among other things, that "humanism and Christianity cannot exist side by side." It is actually a speech that was written by Robert Billings who today is director of the Department of Education's 10 regional offices. When Billings wrote and delivered the speech, he was executive director of the Moral Majority.

Do you think it is proper for a Department of Education official to distribute this kind of material and at Government expense?

Dr. BENNETT. Well, I don't know all the facts. On the basis of what I have heard, I certainly think it raises a serious question, and I would want to look into that. Without knowing more, I shouldn't comment, but that is the sort of thing that I would want to look into if——

Senator WEICKER. I am sorry, I didn't hear you. Do you say it does or does not raise a serious question?

Dr. BENNETT. It does raise a serious question, sure. Sure, it does.

Senator WEICKER. I yield now.

The CHAIRMAN. All right.

Senator Matsunaga.

Senator MATSUNAGA. Thank you very much, Mr. Chairman.

Dr. Bennett, I wish to join the others in congratulating you upon your nomination.

Dr. BENNETT. Thank you.

Senator MATSUNAGA. Before the questioning started, I was about to say that, but being a junior member, I couldn't speak up at that time. It is a wise man who knows when he is ahead and quits. Maybe we should have quit at that point. I think the questions are becoming a bit tough, and one of the major questions, I think, which concerns members of this committee as well as myself is the questions put to you by Senator Weicker and Senator Kennedy and Senator Pell and Senator Eagleton, that is—and I would like to put this direct question to you—relative to that 6-month study, are you under any confidential instructions of any kind to make a report which would support the President's position of dismantling the Department of Education?

Dr. BENNETT. I am not, Senator.

Senator MATSUNAGA. You are not.

Dr. BENNETT. Absolutely not.

Senator MATSUNAGA. Well, I am glad to hear that.

You have been described by the press as, and I quote from the Congressional Quarterly, "as an outspoken advocate of improving educational quality and revitalizing the traditional humanities curriculum in the schools and colleges."

How do you propose to do this?

Dr. BENNETT. Well, I think the major effort and the major initiatives here have to be taken out not by the Federal Government but by those in the States and locales and the universities and colleges. We are already in a great period of reform, and I think the question for the Secretary of Education is how to keep that reform going and not to slow it down, not to impede it.

Reform really has now lasted a good year or year and a half which, in the American timeframe, is a pretty long time. If we can keep it going 2 or 3 more years, I think we might see some tremendous advances and improvements in American education.

One thing the Department can do that I think it has already shown that it can do very well is to gather up the best data, the best information, the best models, the best programs, the best curricula, the best research that we can find of things that have worked so that people don't have to spend a lot of time reinventing the wheel. I think that is one of the major roles the Federal Government can play.

However, right now, the task is, in some ways, to get out of the way of the American people and let them make these changes which they are making, seemingly resulting in such sensible improvements.

Senator MATSUNAGA. There is an old Oriental adage which I believe I quoted to you at our earlier meeting, "Put your money into your head, and you will never lose it."

Dr. BENNETT. Yes, sir.

Senator MATSUNAGA. Of course, when you have no money to put in, then it is a real problem. For that reason, I am a strong advocate of the loan program. Where there is no money to be put in, at least, as the leading instrument for the education of our populace, the Federal Government should provide loans, at least, which, upon attaining education and employment in the various occupations or professions, the beneficiary will be able to pay back. Of course, as was pointed out earlier, if an effort is made toward collecting due payments on loans, I think we can do a much better job and perhaps even have, as in the State of Hawaii, a rotating fund which actually, by interest, increases. If we can set up such a rotating fund, we might be able to do it at no cost to the taxpayers such as a foundation initially setting up a relatively large amount so that, on the basis of the interest income that fund earns, we can support a program.

I am a strong one for incentives. If, as in the case of humanities, the Department of Education can provide incentives to the various States to go into programs themselves so that the actual financing of these programs could be done at the State level. Only where the State is unable to do it, the Federal Government comes in. Then maybe the Federal Government will make a greater effort toward providing the necessary incentives to the States, and the States will lay out programs without looking to the Federal Government in the long run. I am a strong believer in that. I wish you would look into that.

Dr. BENNETT. I certainly will.

Senator MATSUNAGA. Then, we are talking about lack of funds so that there are those who cannot have the money to put into their heads to begin with, the minorities, of course, fall into this category. We have a native Hawaiian population in Hawaii who are in much the same position as the American Indian where they were dispossessed of their lands in 1893 by cominers, that is, the white man who came into the Islands and took over, and they got nothing really to fall back upon. Their lands were taken away.

We find that, in this report which was initiated by this committee and submitted to your predecessor in July 1983, called the "Native Hawaiian Educational Assessment Project,"—have you seen a copy of that?

Dr. BENNETT. No, I have not.

Senator MATSUNAGA. Well, I hope you look into it.

Dr. BENNETT. I certainly will.

Senator MATSUNAGA. This report ranks the native Hawaiians at the bottom of most measures of educational achievement. As a consequence, the native Hawaiians suffer. Their academic rating is poor. Although they comprise 19 percent of Hawaii's population, they constitute 40 percent of those unemployed. They are always at the bottom of the economic ladder. Sixty-six percent of the youth in correctional institutions are native Hawaiians, and 46 percent, although they constitute only 19 percent, 46 percent of the adults in correctional institutions are Hawaiian, that is, native Hawaiians. Hawaiian children are also disproportionately victimized by child abuse and neglect and are absent from school in disproportionate numbers.

In light of all this, we have introduced legislation to classify native Hawaiians in the same category as native American Indians. I do hope that you have a chance to study this report so that you can support us in programs such as this. When you do take it in small local areas, such as Hawaii, you can show the success of a program, what can be done in an isolated case such as we find in Hawaii, being insular in character. I think we can show the rest of the Nation what can be done and the rest of the world.

Well, my time is up. I thank you, Mr. Chairman.

Dr. BENNETT. I will be glad to look at it, sir.

Senator MATSUNAGA. We will be in touch with you.

The CHAIRMAN. Thank you, Senator Matsunaga.

Senator Dodd? Senator Stafford will hold.

Senator DODD. Thank you very much, Mr. Chairman.

Let me apologize to you and to you, Dr. Bennett, for being out of the room for several minutes during the response to the questions that were raised earlier. If you have addressed some of these already, then I will just pick up the responses from my colleagues.

First of all, could you give us your general views— obviously specific legislation would have to be introduced again and I don't know of any that has been introduced—but obviously a major issue that has been kicking around here for some time is the issue of tuition tax credits for private and parochial schools at the elementary and secondary level. There is obviously a fiscal implication. You have addressed, at least in broad terms, your response to the proposals by Mr. Stockman in regard to the guaranteed student loan program for higher education.

I wonder if you might share with the committee your views on tuition tax credits, whether or not you support them, to what extent you would support them, whether or not you believe in the fiscal environment in which we presently find ourselves such legislation would be appropriate?

Dr. BENNETT. Yes, sir.

I do support tuition tax credits. I believe that they are an important part not only, as has often been said, of the Federal Govern-

ment saying that it recognizes and wishes to support choice, but also I believe tuition tax credits will have a beneficial effect of increasing competition and quality in schools.

I remember that Mr. Shanker, when his organization, the American Federation of Teachers, was meeting in Los Angeles, and he was asked his reaction to the Minnesota decision, that Minnesota court decision that said that the voucher program in the State was acceptable, was legal, Mr. Shanker said that he didn't like the decision. As I recall his comment, he said, "Now, we are going to have to get better. Our schools are going to have to get better."

I think I am in favor of just about any, certainly most, actions which would increase our competition quality in efforts to improve education in America. As I understand the figures, and I am not a budget expert, it is a 3-year phase-in program that the President has proposed, the administration has proposed, and that by the year 1989, I think it would be, if enacted, you would be talking about something like $850 million as the cost to the Treasury.

The only other comment I would make is that best figures, as I read them, suggest that the people who intend to take advantage of this provision would be those with incomes of less than $25,000. As I understand the proposal, it would be limited to people with incomes below $40,000, but that the maximum impact, the maximum participation would be for those with incomes below $25,000.

Senator DODD. Have you had a chance to look at any other examples—this is not a unique idea; it has been tried in other countries, and competition is obviously the reason that is given in many cases for support—have you had a chance to examine, to look at, what the education impact is on public institutions as a result of providing an incentive for parents to send their children to private or parochial schools?

Dr. BENNETT. Well, I haven't seen any systematic studies of this. Again, I refer to Mr. Shanker's comment. It would be hard for me to think that the impact would be terribly dramatic in terms of numbers. I understand that under all projections that have been made about putting such a program into effect, we would probably never see more than 20 or 22 percent of American youth in private schools under the tuition tax credit plan. We now, I think, have something like 12 percent.

The general idea has, of course, a number of spinoffs. One of the ideas that is being talked about now—I have seen articles about this, I think, three times in the last month or 6 weeks—is a related but different idea, and that is the idea of a State voucher system, not a Federal program but a State voucher program. There was an article about this in the Post a couple of weeks ago where the State would provide vouchers for parents and parents would decide which school at which to buy the services for their children.

I think all of these ideas are interesting and need to be looked at.

Senator DODD. Let me just ask you this in a broad way. You have been nominated to the position of Secretary of Education, and obviously education includes private and parochial schools as well as public facilities. However, you are being nominated for a public position. Do you see an emphasis, a particular emphasis, in your responsibility to public education over private and parochial education or do you see no distinction whatsoever?

Dr. BENNETT. It seems to me the end in view is the students and, therefore, the distinction between public and private is not so important as seeing that we are dealing with students. Again, I would think, and as I have said to conservative friends—I said this in an interview in Conservative Digest—however interested one may be in private education, even if one makes the decision to send one's own children to private schools, none of us can afford to neglect public educational system.

Again, under any scheme that we can foresee, vouchers, tuition tax credits, whatever, we still are talking about 75 percent of American youth in public schools. Therefore, we cannot ignore what goes on in those schools, even if we decide—and it is certainly within parental choice and ought to be parental choice, and no one should be criticized, I think, for making a decision to send a son or daughter to a private school—we have to recognize that wherever they may go, the people with whom they will be doing business, their teachers, their policemen, their law enforcement officers, their Congressmen, statistically, will probably be public school graduates.

Senator DODD. Your Secretary of Education.

Dr. BENNETT. Yes, possibly. Right.

Senator DODD. You are probably not aware of it, but you and I attended Jesuit Boys' School here in the city simultaneously in Georgetown, so I agree with you on that point.

Let me ask you about Grove City. As you know, there has been legislation introduced to restore the institutionwide coverage of title IX of the Education Amendments of the 1972 act. In other civil rights bills, Senator Dole has recently introduced a piece of legislation to cover the title IX issue. As I understand it, there at least seems to be some tacit support from the Justice Department as well as from the Administration.

I wonder if you might share with us, again in a general way, what your views are on the Grove City situation.

Dr. BENNETT. I read a summary of Senator Dole's bill and I believe, indeed, you are right; it is supported by the administration. My sense was, as I think the sense of most people who read the Supreme Court's decision was that the holding was too narrow; that is, the holding which said that the relevant part of the university in question should be only that particular division and should not apply universitywide was too shortsighted.

I think that the bill that Senator Dole introduced and that the Administration supports remedies that, speaks to that. I am not a further expert on that, although it just seemed to me that if one is talking about an educational institution under law, one should not have simply the narrow ken of the department or financial aid office. One should be looking for enforcement across the board in all the programs.

Senator DODD. Not to try to tie you down on this, but what I gather you are telling me is that, based on what you have seen so far, you would support the Dole legislation.

Dr. BENNETT. Yes, I would.

Senator DODD. How much time do I have, Mr. Chairman?

The Chairman. You still have about 2 minutes.

Senator DODD. Let me just ask you a couple of a little less well known but nonetheless significant issues. One has to do with the magnet schools which have been very successful in dealing with the desegregation issue. As you know, some 50 percent—at least, demographic studies show that at least 50 percent—of the elementary and secondary public schools will be minority students. Last year, we had legislation that we passed, I believe, on the magnet school issue.

What are your views on that generally? Would you be supportive of that? Do you have any concerns about it?

Dr. BENNETT. I tend to be well disposed to the idea of the magnet school. It is interesting; it is an old idea but people are talking about it as if it is a new idea. We had a lot of famous examples of it in my part of the country, the Bronx High School of Science or, in Boston, the Boston Latin School. These were magnet schools, schools which could draw students from all over the area, all over the vicinity.

I think that we ought to look very closely at this as a way of breaking down too rigid a notion of separation that students may have, either by race or by neighborhood or whatever, without the problems that we have seen associated with compulsory assignment by race in some of the busing examples that we have had over the years.

One wants to find more ways to increase the drawing power of the magnet. I think it is a very promising idea and I would be very interested in it. This is one area I am particularly interested in looking at.

Senator DODD. The other is compensatory education programs. The number of disadvantaged students staying in school is increasing and, alarmingly, the nondisadvantaged students, at least the percentages seem to be going up which may have to do with this whole gifted and talented program in which I know you have a deep interest where one out of five of the dropouts fall into that category—we have seen some success. At least, the success has been attributed to the compensatory education programs.

Do you intend to continue the tradition of supporting those programs or do you envision any changes of any substantial nature?

Dr. BENNETT. I don't at this time. I want to, of course, take a close look at them. As I understand it, again, the results are mixed. There is some good evidence. I think, in general, the evidence is that the programs of the Department have been pretty good, pretty effective, but that there are some ways to improve them. I would have to take a closer look at this. In general, I am in favor of it, of course.

The CHAIRMAN. Your time is up, Senator. If we could turn to Senator Simon?

Senator DODD. Thank you, Dr. Bennett.

Dr. BENNETT. Thank you.

Senator SIMON. I thank you, Mr. Chairman, for your courtesy, and I join in congratulating you.

When your name was submitted, I issued a statement which began saying, "I have known Bill Bennett for many years. I like and respect him, but I have some concerns."

One of my concerns is whether or not you are going to be in there fighting for the cause of education. I remember when Frank Hodsell came to me and said he was about to be named by the White House—he was then on the White House staff—to head the National Endowment for the Arts. Then, shortly after that, you were designated for the National Endowment for the Humanities. I remember telling my staff, "I am afraid Frank Hodsell is just going to go along with whatever they hand him in the way of a budget, but Bill Bennett is going to be in there fighting."

I couldn't have been more wrong. Frank Hodsell turned out to be a tiger. With all due respect, Bill Bennett turned out to be the pussycat.

Let me quote from the 1984 Appropriations Committee hearings in the House, from your State, Senator, Bill Ratchford, former Member of Congress, after your testimony on cutting NEH said, "If I didn't know your title, I would think you were from OMB." Then, they somehow got you into defending MX missiles, and then Mr. Ratchford says, "You sound like you would be more comfortable working for Mr. Weinberger or Mr. Stockman than in your current role."

I am one who believes it is really important for this country that the Secretary of Education really get in, within the administration, as Ted Bell did, to fight for funds. Now, when the final command is given by the President, I understand what you have to do, but I think it is absolutely vital that you internally fight for the cause of education. I guess my question is, are you willing to do that?

Dr. BENNETT. Yes, sir.

May I just take a minute, because you did call me a pussycat and I——

Senator SIMON. You bet.

Dr. BENNETT. I want to purr or growl a little, do something. I understand your feeling on it, and I note the differences in approach between Mr. Hodsell and myself. I also note that we are at different agencies. I would ask you—of course, I can't ask you—but I would ask you in general to consider whether you think we have done a good job at being vigorous advocates for the humanities, whether you think the National Endowment for the Humanities today is a better agency than it was 3 years ago, whether it is more visible, whether it is better known, whether we have contributed in a positive way to discussion about the humanities in American life, whether we have raised questions of, I think, essential importance to education at the secondary level and at the college level and the postgrad level about the humanities, whether there isn't greater respect for the NEH than there was before, and whether there is indeed a lot less talk about the abolition of the National Endowment for the Humanities today than there was 3 years ago.

I think we have made it a good, strong, proud agency. I think one can look at the record of private sector support that we have elicited, and overall I would be content with my record.

Now, the question of those appropriations poses a specific question. Senator, as you know, the National Endowment for the Humanities had sufficient funds for it to be able to do its job in an effective way. Again, I submit the record of our work at NEH in support of that. I have fought, and I did fight, in the context of

OMB discussions, for things that I thought we should do, the 21 new initiatives among them. I will fight for those programs at the Department of Education that need more money or that need greater focus or that need additions or perhaps further application, and I will be truthful and I will also resist growth of programs just because they are there. Things have to do it on the merits, on the basis of what the evidence is.

You can count on me, Senator, for being as vigorous an advocate as I can be in the cause of American education. I have tried to be that the last 15 years. I recognize that what that means in part, at the Department of Education, is being a vigorous advocate for its worthy programs, and I promise you that I would be, if confirmed.

Senator SIMON. I think it is extremely important, not simply for confirmation purposes, but for what goes on in this country, that you do that.

I was interested in your support of affirmative action in your response to a question by Senator Kennedy. In your book, "Counting by Race," there is this sentence: "Policies like affirmative action are not reverse racism or reverse sexism; they are racism and sexism pure and simple."

We all change positions from time to time. I gather your position has modified since that was written.

Dr. BENNETT. Well, sir, the position that we were referring to in the book at that point was affirmative action as understood at that time, the normal understanding of affirmative action at the time that book was written which is something other than casting a wide net, making sure that one encourages those most qualified for positions to hear of available positions.

It is still my view that, in the context of employment where this situation arose at the NEH, it is still my view that we should not be in a position of saying to a person, "You are of *x* race; therefore you get three points. You are of *y* race; therefore you get none." That is still a firmly held principle of mine, and I will not hesitate in stating that again.

This is not to say that one shouldn't make the greatest efforts to advertise, to recruit, that one has to be absolutely and unambiguously fair in determining positions for employment or others. However, it is my goal, as I think it is the goal of all Americans, to move as quickly as we can to a color-blind society, and I think the best way to get there is to get there.

Senator SIMON. I can hardly disagree with the last sentence. I am concerned, as I examine the record, and as I read a sentence like that, that the positive kinds of things have not been. When EEOC asked 110 Federal agencies for their affirmative action program, there were only 4 agencies that declined. Yours was one of the 4.

Nationally, we have about 27 percent of the Ph.D.'s are women; it is about 10 percent in your agency. I have in front of me the employment record from July 1, 1983 through June 30, 1984. Of 18 professionals who were hired, all were white. Of five administrative personnel who were hired, all were white. You have to get down into clerical and technical people before you find minorities among those who were hired.

As Secretary of Education, you can't be a reluctant dragon. You are going to have to be out in the forefront in fighting for young people in Chicago and New Haven and all over this country, young people who have really been denied an opportunity. I guess I want some assurance that I don't find in the record that you are going to be out fighting for that cause.

Dr. BENNETT. I am happy to give you that assurance, Senator.

If I could comment, the statistics you cite, of course, are for one program over 1 year of time, and I have seen those numbers before. If you will allow me, in "Oedipus Colonus," Oedipus says, in terms of some of the questions that are asked of him, he says he must take command in the totality of his acts. It is not fair just to talk about one thing or another thing.

In terms of our employment record, my employment record, in terms of employing women and minorities at the NEH, I would ask you, I would ask the committee to take us in the totality of our acts. I can submit, and I would be happy to submit to the committee, Mr. Chairman, all of the full story, the full account, so that we can put this question to rest.

In total jobs, just for example, in total jobs and at senior levels, the employment of women and minorities at the National Endowment for the Humanities is a higher percentage now than it was in 1980 when I came there. That is throughout the agency——

Senator SIMON. Let me ask on the professional and administrative level. Is that the case?

Dr. BENNETT. I can give that to you if I may look at this. Comparing, for example, NEH with other agencies, women hold 26 percent of our GS–14 and 15 positions. That is better than three times the Government average. Black women constitute 22 percent of the Endowment's staff, and 10 percent of the NEH staff at grades 14 and 15 consist of black women. This is 10 times the Government average. Blacks occupy 26 percent of all positions at NEH. This is 75 percent higher than the Government average. Blacks hold over twice as many GS–14 and 15 positions at NEH as they do in the rest of Government. Blacks constitute 9 percent of the top staff, which is an improvement over the time I came at which it was 3 percent. Minorities, in general, hold 22 percent of all positions in the Federal work force. At NEH, they hold 28 percent. Again, in total jobs and in senior levels, the employment of women and minorities at NEH is a higher percentage now than it was in 1980.

This record is not, I think, by chance. It is because we have operated fairly. When I came I found that very little was done in advertising. Some advertisements for positions were put out in the New York Times and maybe one or two other places. We have advertised in the Times, in the Chronicle of Higher Education, in newspapers in Atlanta and Chicago and Los Angeles which serve a minority population. We have really tried to do an honest, good faith effort here.

Programmatically, we have only one program where we have been directed at the Endowment to aim our effort at a distinct population in the way that many of the programs at the Department of Education do, and that is the President's initiative on historically black colleges and universities. Samuel Cook, president of Dillard University and member of our National Council, has told us

and said publicly that our initiative for historically black colleges and universities, he thinks, is the best initiative that he has seen. We did not just take the money and say, "Here it is." We are of good conscience; we worked very hard with historically black colleges and universities to come up with a program that made sense, and we think it does. We hired an individual to work exclusively in that program.

I have heard from Cook, I have heard from Donald Steward at Spelman, I have heard from Benjamin Payton at Tuskegee, or Tougaloo—excuse me—Percel Robinson at St. Augustus College, and other presidents of historically black colleges. Again, our only program-specific directive for a particular institutional group, but they were very much behind our efforts.

That is all I can give you in terms of the record at NEH, but I can tell you that this is where my work has been. I went to Mississippi in 1967, spent 1 year there teaching political philosophy. My views in Mississippi in 1967 and 1968 were exactly the same as my views are today. I do not think we should count by race. I think we should get to a color-blind society. In 1967 and 1968, I was regarded as having a very liberal view on the subject. I find in 1984 I am regarded as having a conservative view on the subject. It is the same view. It is a very deeply held belief. I recognize that in holding it, I have put myself under a certain burden of proof, that people will always be wondering. It seems to me that it is not inappropriate for someone who is going to be in as visible a position, if confirmed as Secretary of Education, because people will always be wondering. I will be doing all I can to try to make them not wonder by making the best efforts I can to show my good faith in pursuing the ideals of this society.

The CHAIRMAN. Senator, your time has expired.

Senator SIMON. OK.

Dr. BENNETT. I am sorry; I took all your time.

Senator SIMON. I do have some additional questions——

The CHAIRMAN. We will come back to you.

Senator SIMON [continuing]. I would like to enter in the record.

The CHAIRMAN. Do you want to enter them in the record or do you ask them later?

Senator SIMON. I will stick around and see how long it takes, Mr. Chairman.

The CHAIRMAN. OK.

Let me put into the record at this time some documents about your record at the NEH. In total jobs and at senior levels, the total employment of women and minorities at NEH is a higher percentage now than it was in 1980. I think you mentioned in total jobs, and for women in 1980, it was 66 percent of the agency. In 1984, it is 69 percent. For minorities, it was 29 percent. In 1984, it was 30 percent. At GS–14 to GI–15, for women it was 27 percent. In 1984, it is 28 percent. Minorities were 11 percent in 1980; in 1984, it is 13 percent.

In total jobs, for women and minorities, in 1980, it was 72 percent of your agency; in 1984, it was 73 percent. As far as GS–14 and GI–15, total jobs, women and minorities, were 30 percent in 1980; in 1984, it is 31 percent.

In the EEO record of NEH, women occupy 68 percent of all positions at NEH. This exceeds the civilian Governmentwide average by over 40 percent. I think that is correct, isn't it?

Dr. BENNETT. Yes, sir.

The CHAIRMAN. Women constitute 48 percent of the NEH workforce at the GS-11 to 15 level, compared to 18 percent at the GS-11 to 15 workforce Government-wide. Women hold 26 percent of the GS-14 to 15 positions. That is better than three times the Government average. Is that correct, as well?

Dr. BENNETT. Yes, sir.

The CHAIRMAN. Black women constitute 22 percent of the Endowment staff. Nearly 10 percent of the NEH staff at grades 14 to 15 consist of black women. This is 10 times the Government average. Blacks occupy 26 percent of all positions at NEH and this is almost 75 percent higher than the Governmentwide average. Blacks hold over twice as many GS–14 to GS–15 positions at NEH as they do in the rest of the Government. Blacks now constitute 9 percent of the top staff, a significant improvement over previous years where it was 3 percent. Minorities hold 22 percent of all positions in the Federal work force. At NEH, they hold 28 percent of all positions. Governmentwide, minorities occupy 9 percent of all GS–14 to GS–15 positions. At NEH, they occupy more than 12 percent of such positions.

In total jobs and at senior levels, the employment of women and minorities at NEH is a higher percentage now than it was in 1980. Minorities comprise 6.5 percent of the Humanities Ph.D. labor force. At NEH, the percentage of minorities in the professional ranks is greater: 7 percent of GS–15's are minorities; 12 percent of GS–13's to GS–15's are minorities; 10 percent of GS–11's to GS–15's are minorities. The percentage of NEH panelists who are minorities is also almost twice the percentage in the Humanities Ph.D. labor force—that is, 12 percent.

Between January 1981 and January 1985, 30 percent of the people hired were minorities. Minorities received 11 percent of the promotions between GS–11 and GS–15. Blacks comprise 18 percent of all IPA's; they comprise 1.6 percent of the Humanities Ph.D. labor force.

We will put that in the record, without objection. I think that helps answer some of the questions. If there is additional information you can give us, we would appreciate it.

[The material referred to may be found in Dr. Bennett's written responses to questions of the committee members at the end of the hearing record.]

Senator PELL. Mr. Chairman, could I ask one question here?

The CHAIRMAN. Sure.

Senator PELL. I notice one of the figures where 35 percent of the new hires have been minorities. How is that done in a color blind way?

Dr. BENNETT. How is——?

Senator PELL. How can you get 35 percent of your new hirings minorities when minorities are only 10 percent of the country or 15 percent?

Dr. BENNETT. I am sorry; I don't understand. How can you get a higher percentage——?

Senator PELL. Naturally, I congratulate you on doing it. I was wondering how you did it.

Dr. BENNETT. It is partly recruitment. It is partly our efforts at attracting people. It has something to do with the minority population in the immediate Washington area, people who come to work for the Endowment. That is surely a factor.

Senator PELL. It is an excellent record and I am very glad of it, but I just wondered how.

Dr. BENNETT. Thank you.

The CHAIRMAN. Thank you.

Now, Senator Pell, I would normally turn to you——

Senator PELL. I have no further questions.

The CHAIRMAN. Dr. Bennett, if I—Senator Stafford would like to conclude his questioning. It will only take about 5 minutes, and then we will be happy to take a break. Can you hold on till then?

Dr. BENNETT. Fine. Sure.

The CHAIRMAN. All right. We will just take a break after Senator Stafford has finished. We will take just a short break to give our court reporter and you a little bit of time.

Senator STAFFORD. All right. Dr. Bennett, one of the routine questions we ask of potential officers of the Federal Government who require confirmation would be your willingness to come and testify in front of any committee of the Congress that might ask you to do so. I assume you would be willing to do so.

Dr. BENNETT. Yes, sir.

Senator STAFFORD. You testified to the chairman of this committee that as long as the Congress continued the existence of the Department of Education, you would, to the best of your ability, carry out the functions of Secretary of Education, if confirmed. Did I understand you correctly?

Dr. BENNETT. Yes, sir, you did.

Senator STAFFORD. In testimony to Senator Simon, you testified, if I understood you correctly, that as long as you were Secretary and the Department was continued by the Congress, you would fight enthusiastically for funds to carry out the functions of the Department. Did I understand you correctly there?

Dr. BENNETT. Those that I can defend, yes, sir.

Senator STAFFORD. I think you have reasonably satisfied me on those two particular items.

The fact is that if you are confirmed, over the next 4 years, you and I will be seeing quite a lot of each other, you as Secretary and I as the chairman of the Education Subcommittee, at least, for the foreseeable future which, in our terms, is for 2 years and, hopefully, for 4. I would therefore hope that you and I may enjoy as close of a working relationship as I enjoyed with Secretary Ted Bell while he was the Secretary, that we can be frank and forthcoming with each other and that your staff can be equally frank and forthcoming with the staff of the Subcommittee on Education here on the Senate side of the Hill. Do you see any impediment to that kind of relationship between us even though you went to Williams and I went to Middlebury?

Dr. BENNETT. No, sir. I don't seen any problem. It is just that if we are going to get together often, I would wonder if maybe we

could do it in Vermont sometime instead of inside the beltway. That would be a preference, but that is up to you.

Senator STAFFORD. We will try to work that out.

You have also been asked to testify about the 6-month period of time during which you will be studying the Department at the direction of the President. Might I ask you what your intentions might be with respect to programs and the employees of the Department during that 6-month period? Would you essentially leave them as they are until you have completed your studies or would you propose to make changes prior to the completion of the 6-month period?

Dr. BENNETT. Well, I don't know. I presume that I would want to make some changes early on, but nothing so dramatic so as to limit my ability to get the information that I need. It would seem to me that—I don't know what—I think the normal turnover at the Department of Education is something like 10 percent a year. I wouldn't see any dramatic change in that, at least, I wouldn't anticipate it right away. Of course, I want to take a close look at things, particularly in those areas in which the Secretary has to operate, those in his immediate vicinity. I would want to look at that pretty closely early on, I think.

Senator STAFFORD. All right. I will conclude by saying that——

Senator WEICKER. Would the Senator yield?

Senator STAFFORD. Just let me make one comment, and I will be through.

Senator WEICKER. I would like you to yield only because you have raised an issue which——

Senator STAFFORD. All right.

Senator WEICKER [continuing]. This will be a logical sequence.

What is so unique that requires a 6-month study? In other words, at this juncture, your agency would be in its normal preparation of the budget. I might add, whereas Senator Stafford is head of the authorizing committee, I sit as the head of the appropriations committee. So, you would be reviewing all the programs anyway, every single one of them. Why a 6-month study? What is unique, in other words, outside the normal budget process? Was any portion of the directive given to you not just the individual programs within the Department of Education, but whether there should be a Department of Education at all?

Dr. BENNETT. No. That was not mentioned and did not come up.

Senator WEICKER. Then, what is so unique as to a 6-month study within the Department of Education of the programs under your aegis as compared to every other agency of Government which also reviews and all the new Secretaries would review the programs within their agencies? What is so unique that an instruction has been given to you to, within 6 months, report back? On what? Individual programs in the agency?

Dr. BENNETT. I am sorry. I may have misled you, Senator. The 6 months was a figure I put on this early on in this hearing. The President asked me to make a study and to get back to him soon. I said——

Senator WEICKER. On what? On the normal programs within your agency?

Dr. BENNETT. On the effectiveness of our programs and whether they were doing their job, whether they could do their job any better, whether we could improve on them.

Senator WEICKER. But that process goes on in every other agency of Government, especially during the budget process which we are into right now.

Dr. BENNETT. Perhaps the President just wanted to formalize, because I understand he has assigned a similar task to Mr. Hodel who is the nominee for Interior to make a study. Perhaps this is a way of formalizing——

Senator WEICKER. But you are also aware there, Dr. Bennett, that there is talk of a merger of Interior and Energy, so that would seem logical.

Dr. BENNETT. Yes.

Senator WEICKER. Mr. Hodel would get that kind of instruction.

Dr. BENNETT. I am sorry; you would really have to ask the President on this, because all that he said to me is, "I want you to look at the programs there and report back to me with your view of how effective they are, how they could be improved, what should we do more of, what should we do less of. If you are appointed, that is the first thing I want to hear from you." That is all that was said, Senator.

Senator WEICKER. Thank you.

Senator STAFFORD. Thank you. Thank you, Senator Weicker, for bringing out an important point.

Mr. Chairman, I think that I will terminate my questioning at this point with the exception of some written questions to which I would appreciate answers at your earliest convenience.

Dr. BENNETT. Yes, sir.

The Chairman. Thank you, Senator.

I think what we will do is give you a short break. We will take 5 minutes. I would like everybody back here by just shortly after 10 after 4, and we will resume again.

When we resume, we will have Congresswoman Collins testify so that we can get that done. She needs to get back to her office, and then we will bring you back. She is only going to take about 5 minutes.

Thank you.

[Short recess taken.]

The Chairman. Let us have order.

We will now call at this time the Honorable Representative Cardiss Collins who is chairman of the House Government Activities and Transportation Subcommittee.

Congresswoman Collins, we are very happy to welcome you to the committee. We appreciate your being here, and I want to apologize to you because of the length of this hearing, but we do want to accommodate you because we know you have things to do and you have a busy schedule yourself. So, we will turn the time over to you and we will be happy to take your statement at this time.

STATEMENT OF HON. CARDISS COLLINS, A U.S. REPRESENTATIVE FROM THE STATE OF ILLINOIS

Mrs. COLLINS. Thank you very much, Mr. Chairman. I certainly appreciate the fact that you have permitted me to offer testimony at this very important hearing regarding the confirmation of Dr. Bennett who has been proposed as the Secretary for the Department of Education.

The Department of Education is of a great deal of interest to me because I happen to have been sitting on the House Government Operations Committee at the time legislation was written creating this particular body. I have a very strong belief in its goals and its objectives. I hope that we will see a stronger Department of Education in the future.

This Department, as you know, has a broad constituency that ranges from kindergartners to postdoctoral fellows who are involved in various stages of learning processes. However, unlike the Pentagon or the Department of Energy or HHS, the vast majority of the beneficiaries of our Nation's schools, particularly those precollege youngsters, aren't able to lobby on their own behalf, to say these are our concerns about the programs that will shape their particular lives.

It is with their best interests in mind that I point out my concerns, based on the investigative work of the House Government Operations Subcommittee on Government Activities and Transportation over the past year regarding the stewardship of William Bennett at the National Endowment for the Humanities, because I believe it is indicative of how he is likely to run the Department of Education.

Education is big business, even though this administration isn't convinced that it even qualifies for a Cabinet-level position. According to the National Center for Education Information, we have nearly 60 million students enrolled in the Nation's elementary, secondary, and postsecondary public and private institutions of formal learning with an annual cost of $240 billion.

Thus, the individual who becomes the Secretary of Education will play a vital role in shaping millions of lives for years to come by spearheading education policy and, as a direct result, the quality of life for America's future trendsetters. Such a mandate is not to be taken lightly.

In 1984, the Government Activities and Transportation Subcommittee, which I chair, held a hearing on Dr. Bennett's refusal to submit hiring and promotional goals and timetables which were required as part of the annual affirmative action plans filed with the Equal Opportunity Commission. This requirement, mandated by section 717 of title VII of the 1964 Civil Rights Act as amended, applies to 110 Federal agencies. According to the EEOC, 107 Federal agencies complied with this law in 1984, but Dr. Bennett did not and, in fact, was in open defiance of the law.

That is why I raise the following questions:

One, if Dr. Bennett so willingly defied the civil rights laws and its provisions, how would he interpret chapter I of the Education Consolidation and Improvement Act which now provides over $3 billion to educationally disadvantaged children and $260 million to

the children of migrant workers? Would all these funds simply be blended into one huge block grant so that the States could spend it as they wish?

Two, if Dr. Bennett were Secretary of Education, would he revise the definitions for aid to handicapped children as provided by Public Law 94-142 in such a way that fewer needy children would qualify?

Three, if Dr. Bennett were Secretary, would he revise the intent of the Pell grant program for college students which now awards grants strictly on the basis of financial need? Would only the most brilliant of students be able to qualify? The bulk of the recipients of this program are now from lower income families and may not always be straight A students which is not to negate their potential for future learning.

At our subcommittee hearing, I questioned EEOC Chairman Clarence Thomas about the stance of the NEH on the volatile issue of Dr. Bennett's blatant refusal to comply with Federal law. Mr. Thomas replied that,

> If they [NEH] have lawyers, they can make any kind of interpretation they want to. The problem that we have is that normally in society there is a price to pay for different interpretation. If you interpret that a particular stop sign shouldn't be someplace, you can run it if you want to. You interpret the law differently, but you pay the price for it.

In other words, you can cause a collision, which is what has occurred with the NEH viewpoint versus that mandated by Congress and upheld by the courts.

Another witness to appear at our hearing was the distinguished Dr. Arthur Flemming who served as Secretary of Health, Education, and Welfare under President Eisenhower and was a former chairman of the U.S. Commission on Civil Rights. Citing the law, Dr. Flemming noted that,

> The Equal Employment Opportunity Commission shall have the authority to enforce the provision of the subsection setting forth the policy of Congress, and, among other things, shall issue such rules, regulations, orders and instructions as it deems necessary and appropriate to carry out its responsibilities under this section.

He further stressed that,

> Congress said the head of each such department, agency or unit shall comply—not may comply—but shall comply with such rules, regulations, orders and instructions. Now that seems to set forth very clearly what the legal situation is.

The former Cabinet secretary emphasized, and I quote again,

> If the head of a Federal agency believes that the Equal Employment Opportunity Commission has exceeded its authority, or that Congress has offended—to quote from the letter of the Chairman of the National Endowment for the Humanities: "our best principles as a nation"—he does not have the option, under our system of government, of refusing to obey the law.
>
> He must obey it until he can either persuade the courts that the Equal Employment Opportunity Commission has exceeded its authority, or until he can persuade Congress to change the law.

Neither situation has occurred. The law remains on the books and Congress has not changed the law, but Dr. Bennett has ignored it.

Another articulate appointee who testified at our hearing was Hon. William H. Brown III, a Philadelphia attorney appointed by

President Nixon, to serve as chairman of the EEOC from 1969 to 1973. He is also a member of the Lawyers Committee for Civil Rights Under the Law. In his remarks, Mr. Brown noted that,

> All of us who have served in Government have taken an oath of office to uphold and defend the Constitution of the United States, as well as the laws of this country. Nowhere has it ever been suggested that in accepting a high government position, we would be allowed the discretion of enforcing and upholding only those laws with which we agree. The decision in this case of the Chairman of NEH to separate this agency from more than 100 others who have obeyed the law and the regulations of the EEOC makes one wonder whether he believes this is a nation of laws or a nation of individuals.

Reflecting on his own 4 years at the helm of the EEOC and its surveillance of Federal employment practices, Mr. Brown testified,

> For too long, rather than setting the pace, the Federal Government has been content to lag behind in the race for equal employment opportunity, while, at the same time, insisting that those in the private sector do more.
>
> This government is meant to be, and is, the servant of the people. The executive branch was established to perform certain duties at the behest of the people. The people, through their [elected] representatives, have decided that discrimination in employment is illegal, and have charged the Equal Employment Opportunity Commission with the enforcement of that law.
>
> Who can deny that laws which are flagrantly violated or poorly enforced weaken the entire fabric of our society and our system of justice?

Dr. Flemming and former Chairman Brown eloquently echo my deep-seated concern over the appointment of Dr. Bennett as it regards another matter that would have to do with employment in the Department of Education where there are some 5,000 Department of Education employees as well as all future job candidates there. In his written statement presented for inclusion in our hearing, Dr. Bennett said of the 1978 Civil Service Reform Act:

> That act demands that every effort be made, active efforts, to identify and to encourage potential minority applicants for consideration for fair and equal employment. We have recruited along those lines in a thorough and, we believe, exemplary way.

Let me point out, that what he also said was that in the recruitment efforts that he mentioned here a little bit ago, he spent exactly $5,500 to recruit on a nationwide basis minorities and others to work for the National Endowment for the Humanities. I question whether that is a figure substantial enough to get the kind of minority representation I would hope he would have had at the National Endowment for the Humanities.

However, his own statement appears to be in conflict with various statistical submissions. According to NEH's own data for fiscal year 1983, the agency had a work force of 242 people. Of these, 64 percent were women, with 88 percent of those found in grades 1 through 12, quite to the contrary of what he has reported today. More than half of these women, 57 percent, were in grades 8 or lower, while only 16 percent of the males were in these categories. With blacks, 73 percent were in GS–8 or below, compared to 31 percent of whites in those grades. In the professional ranks, 89 percent were white while less than 1 percent were black.

In data provided subsequent to the hearing, NEH figures for the 12-month period from July 1, 1983, through June 30, 1984, showed the agency had approximately 30-percent staff turnover which raises serious questions of employee morale with people leaving at such an alarming rate.

Of the 81 individuals hired, 30 percent of these were blacks—but none was recruited at a level higher than GS–8. According to the agency's total roster of 262, only 3 black males have risen above the GS–8 level, period.

In this same pool of new hires, women represented more than three-fourths of the new workers—76 percent. However, of these, 82 percent were also limited to jobs ranked at GS–8 or lower. Only 5 percent of the women were elevated to the management ranks, which are designated by NEH as GS–14 and above.

During appropriations hearings held last year by my colleague, Representative Sidney Yates of Chicago, IL, who chairs the House Interior Appropriations Subcommittee, he noted that women at NEH seemed frozen in their jobs, with limited opportunities to move above a GS–13 rank.

However, there is no dearth of qualified female candidates for internal advancement since, at GS–11, the level at which NEH strongly requests a doctorate for employees, women hold 71 percent of the slots. And on the next rung up, women hold 52 percent of the slots. That can be found on page 94 of our hearing.

Yet there are no women or minorities in the more lucrative supergrades, either from internal promotions or outside recruitment, and men outnumber women 4 to 1 at GS–15.

From these statistics which reflect Dr. Bennett's leadership at NEH, I wonder whether NEH hiring patterns will be replicated in the Department of Education. Would all the top management slots at the Department of Education be filled by white males as was done at NEH?

Please permit me to return to my concern for education for the masses. Would the guaranteed student loan program be gutted under Dr. Bennett in response to President Reagan's directive this weekend limiting all loans to only $4,000, based on academic scholarship rather than family need and cut off entirely from any family with an income of $32,500, regardless of how many children may be in school at the same time?

My basic concern is whether all students in this country will receive a quality education regardless of where they happen to live, the income level of their parents, or the individual skills they possess. All students deserve to be intellectually challenged to the best of their capacity. Education is a process of confronting stone idols. It is an ongoing assault that demolishes old truths as it establishes new ones. Education is not the rigid worship of cultural icons and status quo concepts.

One of the major pieces of legislation that the new Secretary of Education will have to deal with in 1985 is title IX of the 1972 Education Amendments. This bill calls for equal education opportunities for female students throughout the country, both in and out of the classroom. As parents, don't you believe that your daughters should be assisted and entitled to the same academic advantages as your sons are? Given Dr. Bennett's previous lack of interest in the hiring and promotion of minorities and women, I question whether younger women students would be a strong priority on his agenda.

In closing, because I know that there is a time limit that we have here, and I would like to submit my entire statement for the record, Mr. Chairman——

The CHAIRMAN. Without objection, we will take your entire statement in the record.

Mrs. COLLINS. Thank you.

Let me close by saying simply that I am deeply concerned about the Department of Education, I am deeply concerned about the education of all students, and I urge this committee to look carefully at what has happened in the past, because the past usually mirrors what is going to happen in the future, when it comes down to deciding whether or not it should report out a recommendation that this gentleman be confirmed as the Secretary of Education.

I thank you.

[Statement of Mrs. Collins follows:]

The CHAIRMAN. Thank you, Congresswoman Collins. We appreciate your testimony here today and the effort you have put forth.

Mrs. COLLINS. Thank you very much.

[The prepared statement of Mrs. Collins and additional information supplied follow:]

STATEMENT FROM REPRESENTATIVE CARDISS COLLINS, CHAIRMAN
HOUSE GOVERNMENT ACTIVITIES AND TRANSPORTATION SUBCOMMITTEE

JANUARY 28, 1985

CONFIRMATION HEARING ON NEH CHAIRMAN
WILLIAM BENNETT FOR SECRETARY OF EDUCATION

Chairman Hatch and distinguished members of the Senate Labor and Human Resources Committee, I thank you for providing me with this opportunity to appear before you today regarding the confirmation of William Bennett who has been proposed as Secretary of the Department of Education.

This Department has a broad constituency that ranges from kindergartens to post-doctoral fellows who are involved in various stages of learning processes.

However, unlike the Pentagon or the Department of Energy or or HHS, the vast majority of the beneficiaries of our Nation's schools (particularly those pre-college youngsters) aren't able to lobby on their own behalf--to say, these are our concerns about the programs that will shape our lives.

It is with this best interest in mind that I raise these issues, based on the investigative work of the House Government Activities and Transportation Subcommittee over the past year regarding the stewardship of William Bennett at the National Endowment for the Humanities.

Education is big business--even though this Administration isn't convinced that it even qualifies for a Cabinet-level position. According to the National Center for Education Information, we have nearly 60 million students enrolled in the nation's elementary, secondary and postsecondary public and private institutions of formal learning, with an annual cost of $240 BILLION dollars.

Thus, the individual who becomes the Secretary of Education will play a vital role in shaping millions of lives for years to come by deciding on the classroom curriculum, the future careers and opportunities for our students and the job advancement of the adults who teach in our schools.

Such a mandate is not to be taken lightly!

In 1984, the Subcommittee, which I chair, held a hearing on Mr. Bennett's refusal to submit hiring and promotional goals and timetables which are required as part of the annual affirmative action plans filed with the Equal Employment Opportunity Commission. This requirement, mandated by Section 717 of Title VII of the 1964 Civil Rights Act as amended, applies to 110 Federal agencies. According to the EEOC, 107 Federal agencies complied with this law in 1984 but the Attorney General and the Federal Trade Commission joined with Mr. Bennett in open defiance of the law.

If Mr. Bennett so willingly defied the Civil Rights laws and its provisions, how would he reinterpret Chapter I of the Education Consolidation and Improvement Act, which now provides over $3 billion to educationally disadvantage children and $260 million to the children of migrant workers? Would all these funds simply be blended into one huge block grant so that the states could spend it as they wished?

If Mr. Bennett was Secretary of Education, would he revise the definitions for aid to handicapped children as provided by Public Law 94-142 so that fewer needy children would qualify?

If Mr. Bennett was Secretary, would he revise the intent of the Pell Grant Program for college students which now awards grants strictly on the basis of financial need? Would only the most brilliant of students be able to qualify? The bulk of recipients of this program are now from lower income families, and may not always be straight A students -- which is not to negate their potential for future learning.

At our Subcommittee hearing, I questioned EEOC Chairman Clarence Thomas about the stance of the NEH on the volatile issue of Bennett's blatant refusal to comply with Federal law. Mr. Thomas replied that:

> "If they [NEH] have lawyers, they can make any kind of interpretation they want to. The problem that we have is that normally in society there is a price to pay for different interpretation. If you interpret that a particular stop sign shouldn't be someplace, you can run it if you want to. You interpret the law differently, but you pay the price for it."

In other words, you can cause a collison--which is what has occurred with the NEH viewpoint versus that mandated by Congress and upheld by the courts.

Another witness to appear at our hearing was the distinguished Dr. Arthur Flemming, who served as Secretary of Health, Education and Welfare under President Eisenhower and was a former chairman of the U.S. Commission on Civil Rights.

Citing the law, Dr. Flemming noted that:

"The Equal Employment Opportunity Commission shall have the authority to enforce the provision of the subsection setting forth the policy of Congress, and, among other things, shall issue such rules, regulations, orders and instructions as it deems necessary and appropriate to carry out its responsibility under this section."

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The former Cabinet secretary emphasized that:

"If the head of a Federal agency believes that the Equal Employment Opportunity Commission has exceeded its authority, or that Congress has offended--to quote from the letter of the Chairman of the National Endowment for the Humanities--'our best principles as a nation'--he does not have the option, under our system of government, of refusing to obey the law.

"He MUST OBEY it until he can either persuade the courts that the Equal Employment Opportunity Commission has exceeded its authority, or until he can persuade Congress to change the law."

Neither situation has occurred. The law remains on the books and Congress has NOT CHANGED THE LAW.

Another articulate appointee who testified at our hearing was the Honorable William H. Brown, III, a Philadelphia attorney appointed by President Nixon, who served as chairman of the EEOC from 1969 through 1973. He is also a member of the Lawyers Committee for Civil Rights under the law.

In his remarks, Mr. Brown noted that:

> "All of us who have served in Government have taken an oath of office to uphold and defend the Constitution of the United States, as well as the laws of this country. Nowhere has it ever been suggested that in accepting a high government position, we would be allowed the discretion of enforcing and upholding only those laws with which we agree. The decision in this case of the Chairman of NEH to separate this agency from more than 100 others who have obeyed the law and the regulations of the EEOC makes one wonder whether he believes this is a nation of laws or a nation of individuals."

Reflecting on his own four years at the helm of the EEOC and its surveillance of federal employment practices, Mr. Brown testified that:

> "For too long, rather than setting the pace, the Federal Government has been content to lag behind in the race for equal employment opportunity, while, at the same time, insisting that those in the private sector do more.
>
> "The government is meant to be, and is, the servant of the people. The executive branch was established to perform certain duties at the behest of the people. The people, through their [elected] representatives, have decided that discrimination in employment is illegal, and have charged the Equal Employment Opportunity Commission with the enforcement of that law.

"Who can deny that laws which are flagrantly violated or poorly enforced weaken the entire fabric of our society and our system of justice?"

Dr. Flemming and former Chairman Brown eloquently echo my deep-rooted concern over the appointment of Mr. Bennett to a position where he would have total influence over the employment of more than 5,000 Department of Education current employees as well as all future job candidates there.

In his written statement presented for inclusion in our hearing record, Mr. Bennett said to the 1978 Civil Service Reform Act:

"That act demands that every effort be made, active efforts, to identify and to encourage potential minority applicants for consideration for fair and equal employment. We have recruited along these lines in a thorough and, we believe, exemplary way."

However, his own statement appears to be in conflict with various statistical submissions.

According to NEH's own data for FY 1983, the agency had a workforce of 242 people. Of these, 64 percent were women, with 88 percent of these found in grades 1 through 12. More than half (57 percent) were in grades 8 or lower, while only 16 percent of the males were in these categories. With blacks, 73 percent were at grade 8 or below, compared to 31 percent of the whites in those grades. In the professional ranks, 89 percent were white while less than 1 percent were black.

In data provided subsequent to the hearing, according to NEH figures for the 12-month period from July 1, 1983 through June 30, 1984, showed the agency had approximately 30 percent staff turnover--which raises serious questions of employee morale, with people leaving at such an alarming rate.

During appropriations hearings held last year by my colleague, Representative Sid Yates, who chairs the House Interior Appropriations Subcommitte, he noted that women at NEH seemed frozen in their jobs, with limited opportunities to move above GS-13 ranks.

However, there is a no dearth of qualified female candidates for internal advancement since at GS-11--the level at which NEH strongly requests a doctorate for employees--women hold 71 percent of the slots. And on the next rung up, women hold 52 percent of the slots (p. 94 of hearing).

Yet there are no women in the more lucrative supergrades--either from internal promotions or outside recruitment--and men outnumber women 4-to-1 at GS-15.

How could this NEH hiring pattern effect the Department of Education?

Would all the top management slots at the Department of Education be filled by white males, as is done at NEH?

Would blacks, Hispanics and other qualified minority students be encouraged to finish their education so that tahey, too, could enter the teaching ranks, or would their financial aid be vastly reduced?

Would the Guaranteed Student Loan Program be gutted under Bill Bennett, in response to President Reagan's directive this weekend limiting ALL loans to only $4,000, based on academic scholarship, rather than family need? And cut off entirely for ANY FAMILY with an income of $32,500. REGARDLESS of how many children may be in school at the same time?

My basic concern is whether ALL children in the public school system of this country will receive a QUALITY EDUCATION, regardless of where they happen to live, the income level of their parents or the individual skills they possess.

ALL CHILDREN deserve to be intellectually challenged, to the best of their capacity. Education is the process of confronting stone idols. It is an ongoing assault that demolishes old truths as it establishes new ones. Education is not the rigid worship of cultural icons and status quo concepts.

Ironically, Mr. Bennett would probably be at home with the Department of Education's hiring pattern, which appears to parallel some of NEH's job categories.

For example, at the Department of Education, women outnumber men 6-to-1 at GS-1 through GS-8, with 1,362 women and only 293 men.

In the upper level jobs of GS/GM 13-15, men outnumber the women by more than 2-to-1, with 1017 men and 441 women.

In the Senior Executive Service level, men outnumber women 4-to-1, with 58 men and only 15 women.

One of the major pieces of legislation that the new Secretary of Education will have to deal with in 1985 is Title 9, of the 1972 Education Amendments. This bill calls for equal educational opportunities for female students throughout the country, both in and out of the classroom.

As parents, don't you think your daughters should be entitled to the same academic advantages as your sons?

Given Mr. Bennett's previous interest in the hiring and promotion of adult women, we do not feel that younger women students would be a strong priority on his agenda.

Another area where we would also like to voice our strong concerns is on the national debate on the constitutional guarantees for the separation of church and state which are being blunted in the classroom by various public officials who have chosen to reinterpret the federal law.

Will a fourth R for Religion be added to Reading, Writing and Arithmetic?

Will a fifth R be added for Racial Awareness, with students taught that all men--and women--are NOT created equal?

We hope not, but we worry about the classroom podium being used as a pulpit to preach a new doctrinal policy of national conformity instead of a recognition of the many differences which makes this country unique.

During the past year, Mr. Bennett has been an energetic speaker before church-related functions, including two Moral Majority rallies held before the National Conventions. As a private citizen, he can express any opinion he wishes, but he does not have the same leeway when he appears as a federal official. Nor can Department of Education representatives use their agency to promote sermons or religious concepts, as one ill-advised regional head did this past month.

As a member of Congress, I reflect with some shame on the blotches on the past history of this august body for some of the dangerous witch hunts and intrusions into the work place it conducted to root out those with different political, cultural, religious or social viewpoints, in the name of patrotism.

Will the classroom be the next target for seeking out "un-American activities" in the name of school prayer, tuition tax credits and a reading list mandated by a white male, Western world mentality that refuses to equate diversity with cultural vitality?

The next Secretary of Education will decide what direction this country will take by shaping the minds of its students, revising the curriculum and setting new goals, sharpening students' skills and reawakening their desires to improve not only their own lot in life but those of others lacking in their many opportunities.

This is no small challenge. The Secretary of Education is as powerful a post as the Secretary of Defense. If we don't protect our greatest cultural resource--our young people--then what will we really have that is worth defending and protecting?

Thank you.

*****

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STATISTICS PROVIDED BY THE DEPT. OF EDUCATION

4,952 employees
As of November 1984

GS Level	Men	Women
GS-1 thru 8	293	1362
GS-9 thru 12	771	995
GS/GM 13-15	1017	441
SES	58	15

According to the Department of Education statisticians, women employees outnumber men by 6-to-1 at grades GS-1 through GS-8. In the upper level jobs of GS/GM 13-15, men outnumber women by more than 2-to-1. In the Senior Executive Service level, men outnumber women 4-to-1.

NATIONAL ENDOWMENT FOR THE HUMANITIES AND THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION HIRING POLICIES

HEARING

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON

GOVERNMENT OPERATIONS

HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

SECOND SESSION

JULY 25, 1984

Printed for the use of the Committee on Government Operations

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FULL-TIME AND PART-TIME PERMANENT NEH EMPLOYEES
BY GRADE LEVEL AS OF May 12, 1984

GRADE LEVEL	TOTAL Male #	TOTAL Male %	TOTAL Female #	TOTAL Female %	WHITE Male #	WHITE Male %	WHITE Female #	WHITE Female %	BLACK Male #	BLACK Male %	BLACK Female #	BLACK Female %	HISPANIC Male #	HISPANIC Male %	HISPANIC Female #	HISPANIC Female %	ASIAN AMER. PAC. IS. Male #	ASIAN AMER. PAC. IS. Male %	ASIAN AMER. PAC. IS. Female #	ASIAN AMER. PAC. IS. Female %	AMER. NATIVE ALAS. NATIVE Male #	AMER. NATIVE ALAS. NATIVE Male %	AMER. NATIVE ALAS. NATIVE Female #	AMER. NATIVE ALAS. NATIVE Female %	TOTAL All
SES GS/GM 16-18	6	100	0	0	6	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
GS/GM 15	12	80	3	20	11	73	3	20	0	0	0	0	1	7	0	0	0	0	0	0	0	0	0	0	15
14	13	65	7	35	13	65	3	15	0	0	4	20	0	0	0	0	0	0	0	0	0	0	0	0	20
13	15	56	12	44	15	56	10	37	0	0	0	0	0	0	0	0	0	0	2	7	0	0	0	0	27
12	15	48	16	52	15	48	14	45	0	0	0	0	0	0	1	3	0	0	1	3	0	0	0	0	31
11	8	29	20	71	7	25	18	64	1	4	2	7	0	0	0	0	0	0	0	0	0	0	0	0	28
10	0	0	1	100	0	0	0	0	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	1
09	4	16	21	84	2	8	14	56	2	8	7	28	0	0	0	0	0	0	0	0	0	0	0	0	25
08	0	0	4	100	0	0	0	0	0	0	4	100	0	0	0	0	0	0	0	0	0	0	0	0	4
07	4	14	25	86	3	10	14	48	1	3	11	38	0	0	0	0	0	0	0	0	0	0	0	0	29
06	0	0	24	100	0	0	12	50	0	0	12	50	0	0	0	0	0	0	0	0	0	0	0	0	24
05	4	13	27	87	1	3	16	52	3	10	9	29	0	0	1	3	0	0	1	3	0	0	0	0	31
04	3	18	14	82	1	6	8	47	2	12	6	35	0	0	0	0	0	0	0	0	0	0	0	0	17
03	0	0	3	100	0	0	2	66,6	0	0	1	33,3	0	0	0	0	0	0	0	0	0	0	0	0	3
WG 06	1	100	0	0	0	0	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	85	32	177	68	74	28	114	44	10	3	57	22	1	0,3	2	0,7	0	0	4	2	0	0	0	0	262

45-779 O—85—4

7.(b) Question: At our July 25, 1984 hearing, Bruce Carnes noted that there were 80 agency vacancies for 1983, or approximately 30 percent of the entire NEH staff. Please provide in similar tabular form information on how these positions were filled.

Answer: The statement made at the hearing was in reference to the previous 12-month period, July 1, 1983, through June 30, 1984. The statistics for that period are as follows:

7/1/83 to 6/30/84

ANN. NUMBER	CATEGORY	NUMBER	WHITE	BLACK	HISPANIC	OTHER	SEX	GS-LEVEL	METHOD OF RECRUITMENT
83-020	Professional	1	X				M	14	A,L,M
83-024	Professional	1	X				M	14	A,D,E
83-025	Professional	1	X				M	13	A,D,E
83-027	Professional	1	X				F	12	C,E
83-035	Professional	1	X				F	14	C,E
83-044	Clerical	1		X			F	6	A
83-051	Professional	1	X				F	14	A
83-052	Clerical	1	X				F	7	A
83-053	Administrative	1	X				F	11	A
83-054	Professional	2	X				M	13	A
83-055	Clerical	1	X				F	5	A
83-058	Clerical	1	X				F	7	A
83-059	Clerical	1		X			F	7	A
83-060	Administrative	1	X				F	13	A
83-061	Professional	1	X				M	12	A
83-062	Professional	1	X				F	5	A
83-063	Professional	1	X				F	14	A

ANN. NUMBER	CATEGORY	NUMBER	WHITE	BLACK	HISPANIC	OTHER	SEX	GS-LEVEL	METHOD OF RECRUITMENT
83-064	Professional	1	X				F	12	A,E
83-065	Technical	1		X			F	8	A
83-067	Clerical	1	X				F	6	A
84-001	Clerical	1		X			F	1	C
84-001	Clerical	1		X			F	2	C
84-001	Clerical	1	X				M	2	C
84-001	Clerical	4		X			F	3	C
84-001	Clerical	1			X		F	3	C
84-001	Clerical	3		X			M	3	C
84-001	Clerical	5	X				F	3	C
84-001	Clerical	1	X				M	3	C
84-001	Clerical	5		X			F	4	C
84-001	Clerical	15	X				F	4	C
84-001	Clerical	2	X				M	4	C
84-001	Clerical	3		X			M	4	C
84-005	Technical	1		X			F	7	A
84-006	Professional	1	X				F	5	A
84-010	Clerical	1		X			F	4	A
84-012	Clerical	1	X				F	5	A
84-013	Clerical	1	X				F	6	A
84-015	Professional	1	X				F	12	A
84-016	Professional	1	X				F	12	A
84-017	Administrative	1	X				M	ES	A,S
84-019	Clerical	1	X				F	6	A
84-022	Administrative	1	X				M	12	A
84-027	Clerical	1		X			F	5	A
84-029	Professional	1	X				F	5	A
84-032	Professional	1	X				M	15	A,D,E
84-033	Clerical	1		X			F	5	A
84-033	Professional	1	X				F	12	B
84-033	Clerical	1	X				F	6	B
84-033	Clerical	1		X			F	6	B
84-033	Administrative	1	X				F	12	B

METHOD OF RECRUITMENT - Codes

A = NEH Vacancy Announcement - Standard Distribution
B = Noncompetitive Appointment
C = Open Continuous Vacancy Announcement
D = HBCU Placement Offices
E = Chronicle of Higher Education
F = Chicago Independent
G = American Women in Radio & TV
H = Current Magazine
I = Broadcasting Magazine
J = Westchester County News
K = NY Times
L = Aviso
M = History News
N = Atlanta Voice
O = La Opinion
P = History of Science Newsletter
R = Education Week
S = SES position - OPM advertised

The CHAIRMAN. We will call back to the table at this time Dr. Bennett again, and I am going to turn to you, Senator Weicker, for your further questioning. As far as I know, there are no other questions from anybody else, so we are just going to turn the matter over to you.

Senator WEICKER. You, Dr. Bennett, mentioned the word totality, that you wanted to be judged in the totality of the situation. I would like to use that same word, and maybe it will give you an indication as to what some of the suspicions are as you appear before this committee as the nominee of the administration.

Public Law 94-142—the members of this committee that are sitting here now had to defend that both as to the administration's attacks of the law and as to the administration's cutback in funding for those covered by it. Various members of this committee have had to sit and defend the cutback in funds for the EEOC, the Civil Rights Commission. We have had to sit and defend against the attacks of the administration on the Pell grant student loans. We have had to defend against the abolition through lack of funding the Legal Services.

The totality, the totality of the administration's efforts insofar as our special populations are concerned is a very dismal, or, let us put it this way, abysmal totality.

The question was asked of you on Grove City. You indicated you preferred the Dole proposal. Certainly you read the newspapers and you know that at this juncture, every one of the groups, whether you are talking about elderly, retarded, women, blacks—those are the four groups affected by Grove City—this isn't just a case about a women's basketball team or the finance office of a university or college. All of these groups have gotten together behind the legislation announced just the other day and indicated their opposition to the Dole legislation for the lack of specificity in the Dole legislation which would raise the exact problems that have brought the matter back to the Congress from the court in the first instance.

Now, my concern is the totality of the situation as it relates to your stewardship of the Department of Education. You have indicated, in your capacity as head of the National Endowment for the Humanities that we will neither favor nor slight anyone because of race, color, national origin, religion, or gender.

Do you feel a Federal presence should be maintained in education laws to address the needs of special populations?

Dr. BENNETT. Yes, I do.

Senator WEICKER. We are now talking about the disadvantaged, the handicapped, bilingual, et cetera.

Dr. BENNETT. Yes.

Senator WEICKER. You do feel that a Federal presence should be maintained?

Dr. BENNETT. Yes, I do.

Senator WEICKER. The next hurdle that I have to overcome is the fact that, thanks to the President's rhetoric on the matter of education, the impression is given that the Federal Government is the one responsible for the funding of education and/or for any failings that attach thereto, whereas both you and I know that over two-thirds of the current Education Department funding is targeted for special populations. State and local take care of 90 percent, plus, of regular education.

Are you going to vigorously support those programs for the special populations?

Dr. BENNETT. Yes, I am.

Senator WEICKER. The administration, as I indicated previously, attempted to effectively repeal Public Law 94-142 by block grant and regulatory rewrite proposals, and both attempts failed. Will you propose the elimination or weakening of the current Federal mandate that special efforts be made on behalf of the disabled youngsters?

Dr. BENNETT. No, I will not, but I would not want to—I am not sure, Senator, I understand precisely what is intended by your question. I would not want to—although I am happy with my last two answers, I would not want to say that I would be committed willy-nilly to the Department of Education doing its business in precisely the same way it has in the past if there is, perhaps, a more effective way to reach the same end.

Senator WEICKER. I don't think I would ever ask you or any other nominee to do things in exactly the same way. You are going to have your own style and your own method, but I think we both understand the question was asked in the context of the law as written, the spirit of the law, et cetera.

Dr. BENNETT. Of course.

Senator WEICKER. And with, obviously, your discretion as to how things can be made better.

The last point that I want to raise at this time—and I might add that in discussion earlier with the press, I indicated that part of the difficulty I have with the nomination is not you as much as the totality of the administration's record in this area which is unfair to go ahead and lay at your doorstep. I might add, I think much of the doubt could be dispelled, and I really mean that, both within the committee and on the floor, by a simple statement by the administration as to the Department of Education.

Now, I notice that we have representatives of the White House here, all sitting there in that row, right there. [Indicating.]

There is my friend, Gary Bauer. I see him come appropriations time. He is the philosophical enforcer of the administration.

How is your nominee doing, Mr. Bauer? Is he doing all right?

Mr. BAUER. I think he is doing great.

Senator WEICKER. And I see my good friend, Sherry Cooksie, one of the best, I might add, members of this administration.

The CHAIRMAN. We have to get you up more often, Sherry. I didn't realize that.

Senator WEICKER. Even if she sold me her house and the pipes froze the other day.

But I would ask Sherry, what is the possibility of having a communication from the President assuring this committee, assuring the chairman of this committee, to the chairman of this committee, assuring us of the continued existence of the Department of Education? To me, in other words, it is unfair to lay this at Bill Bennett's doorstep. This is the administration, in a way, that is causing this doubt. Let the administration clear it up. And I am making that request, now, with the representatives of the administration, to have such a communication.

I am not a stickler in the sense of what form it should take. A communication to the chairman would be quite sufficient, oral, the chairman's word such a communication had been received, or a letter to the committee, or whatever. I don't think that is an unreasonable request in light of the doubt that has been raised on this issue.

The CHAIRMAN. I don't think there is any doubt, Senator.

Senator WEICKER. Do you think that is an unreasonable request, Mr. Chairman?

The CHAIRMAN. No, but I don't think there is any doubt that there won't be a problem here.

Senator WEICKER. Well, again, the issue of doubt has been raised so many times that, as I say, in the totality of the administration's position on these other issues, this time I would like to have some assurance here before we start this next session of the Congress.

I don't have the time, Mr. Chairman, I don't have the time to be fighting for these causes and against something else—I just don't have the time. I think that what we need here is that type of assurance from the administration, in which case, I dare say Dr. Bennett's nomination would go flying through here and flying through the floor of the U.S. Senate.

As long as that doubt persists, I think things might be a little difficult.

Now, one last question and then I am through. You indicated your favoring tuition tax credits. Is that correct?

Dr. BENNETT. Yes, sir.

Senator WEICKER. And that costs a considerable amount of money, as you indicated in your response, advocating the President's program. And you indicated that you felt the idea of magnet schools was a good one, and that also involves a fair piece of change.

Just how, out of curiosity, are we going to get this kind of money? Do you think this should be new funding or should it be taken out of ongoing programs in public education?

Dr. BENNETT. For magnet schools?

Senator WEICKER. Let's take tuition tax credits to start off with.

Dr. BENNETT. Well, of course, that would not be an outlay. That would be a drain on the Treasury, generally.

Senator WEICKER. Well, that is an outlay, you know. It is an indirect one, but let's not——

Dr. BENNETT. OK. But I wouldn't know how to describe where one would locate it. It would be a drain from the Treasury which would affect the whole or the total.

In terms of magnet schools, I don't know the specifics, Senator, about what we are spending now and how much more we would need to spend in order to increase—I would want to assess how well we are doing and what seems to work.

The CHAIRMAN. It is $75 million, Dr. Bennett.

Dr. BENNETT. $75 million.

Senator WEICKER. Well, do you think at a time of budget constraints that this might not be the best advised time to go forward with these particular programs? Would you like to get your own feet on the deck here and see what it is that you have going on before you commit to these additional expenditures considering that your Department is being asked to cut back in so many other areas?

Dr. BENNETT. Well, sure I would before I committed. I was asked, of course, my sense of things and whether, in general, I was in favor about magnet schools and tuition tax credits. I would want to take a look at everything, of course, in connection with the whole. I would hope that I would be in a position in the next 3 or 4 months to be able to give a more reliable and specific answer to your question.

Senator WEICKER. I want to thank you for your courteous responses to my questions.

I do confess to an unease only because we have all been around this track for the last 4 years. It has been a particularly difficult area. Whatever success the administration has had in the military or economics or all the rest does not appear so readily in the area that is going to come under your jurisdiction. I pick up the Wall Street Journal and I see where even my existence on this committee is threatened because it doesn't fall into line with conservative thought. I wish you guys would read the Wall Street Journal for the stocks and not for the politics. [Laughter.]

The CHAIRMAN. Some think we wrote it, but it isn't true.

Senator WEICKER. In any event, Senator Stafford over here and myself have, along with others on the committee, played a key role and, I might add, some Republicans and some Democrats. Take Senator Hatch over there. I would say it is very safe to say that the funding for the programs for the retarded and the disabled, believe me, that funding was kept in place and safe from attack by this administration because of the help of the chairman. It is very simple. On other matters, we teamed up with some of our colleagues across the way.

However, this has been a very difficult role for everybody on this committee. That is why this nomination is not as clear cut, maybe, as it should be.

However, you have been most responsive, and I think the record certainly is complete. Now we have to make our judgments.

Dr. BENNETT. May I make one comment?

Senator WEICKER. Sure.

The CHAIRMAN. Sure.

Dr. BENNETT. I don't know if it would be sufficient, Mr. Chairman, but I, to repeat what you said, there are few things in which I have less interest than in debating the existence of the Department of Education for the next 4 years. There are more important things to do and to talk about.

I am not going in to abolish the Department, nor was I asked, nor was I winked at at the time when I was not asked to. I was asked to make this study. I can't, of course, speak any further than that, but my ideas and intentions about being the steward at the Department of Education, if confirmed, have to do with other things and other priorities. On that, I think, we very much agree.

The CHAIRMAN. Well, let me say this: we appreciate your being here today and testifying. Of course, I think you have done a tremendous job. I don't know why anybody would not want you as Secretary of Education with the record that you have had and with the way you have testified here today.

I can also say that the Wall Street Journal article wasn't quite accurate.

Senator WEICKER. Do you guys love me or what? [Laughter.]

The CHAIRMAN. I will say that this committee is very challenging, and it has been a particularly challenging experience and a very growing experience for this chairman. I have to admit that one of the great trainers and teachers in the U.S. Senate sits right over here to my right, which is not very often except at committee meetings. [More laughter.]

On the other hand, I have a great deal of regard for my friend from Connecticut over here, because nobody fights harder for the handicapped. I have that feeling myself. He has been kind enough to mention that, and I really have a great deal of respect for him. There is no way anybody is going to keep you off this committee. It is just that simple. You have the power to do that, but I will be happy to have you on the committee. I will be happier if you vote with me a little more often this next year than you did in the past four. On the other hand, I know you are a man of conscience; you will do what you want to do anyway.

Dr. Bennett, I want to commend you for your testimony here today, for the candid way in which you have answered questions. Some of them are tough. I think members of this committee have to understand that you are on a tightrope on the Department of Education. It is the biggest nonissue of the year. First of all, this committee is not going to abolish the Department of Education even though there are members of the committee who would like to. The votes aren't there, and as long as this committee doesn't abolish it, I don't think it is going to be abolished.

Second, the U.S. Senate isn't going to abolish it. I know the votes aren't there.

Third, the House of Representatives isn't going to abolish it, so whether you wanted to or not really isn't relevant. Whether the President wants to or not may be relevant, but it isn't going to make much difference, so that is to me a very great nonissue.

However, what is a big issue to me is that we have a Department which has done a terrific job over the last 4 years under very trying circumstances without a Secretary. Frankly, I know that the way this committee acts, you are going to be confirmed as Secretary of Education. I don't think we should put that off very long. I am asking my colleagues to give consideration to that and let you get about the work that you really have to do and then report to this committee.

I know that Senator Stafford and Senator Pell, as the chairman and ranking minority member on the Education Subcommittee, are going to have you up here often. They are going to test you. They are going to tax your capabilities and abilities, and we are going to know exactly how you feel on almost everything.

We have a tough educational agenda this year, and we can't do it unless we get started now. They are some of the most difficult issues in education that we have had to struggle with.

So, I just hope that this committee will move ahead. I have asked Senator Kennedy to consider polling you out. Now, I don't mean polling by just telephone calls. I think we would have to agree to shorten time from 7 days to as short as we can. If Senator Kennedy's side feels that way, I hope our side will feel that way. Then we can move and have the debate, if there is any, on the floor of the U.S. Senate, and, hopefully, to a time limitation so that you can, as I say, get about the business that you really need to do and that we need to have you do in this country.

Senator WEICKER. Mr. Chairman?

The CHAIRMAN. Yes.

Senator WEICKER. Again, I have to repeat, not only in my capacity as chairman of the Subcommittee on the Handicapped of this committee, that doesn't bother me as much as my chairmanship of the Appropriations subcommittee.

The CHAIRMAN. Sure.

Senator WEICKER. And that is my responsibility, is all the dollars attached to what we are talking about. If we are not talking about a Department of Education, I want to know that. This isn't just some sort of idle request here.

In the last 4 years, I have had the administration come before the Appropriations Subcommittee time and time and time again with, in effect, legislative proposals eliminating programs or parts of the Department of Education via the money route. I want to know whether we are in serious business here, whether it is his nomination or whether it is the appropriations.

So, I want that communication somehow between the White House and the chairman and/or the members of this committee and/or the chairman of the authorizing committee. I am not kidding. I want an answer from the White House.

The CHAIRMAN. Well, we will ask the White House to give us a communication, whatever they feel is appropriate under the circumstances, and I hope it is satisfactory to Senator Weicker. However, in any event, Senator Weicker, I really don't think that it is

in the best interest of everybody to hold him up because we don't have some communication that may be written in exactly the way you want it.

Senator WEICKER. Well, we have the attention of the mule now.

The CHAIRMAN. I think you have. I have that slight impression here.

Senator WEICKER. I think Senator Stafford would also like to have a response to the question that he raised in his questions, the same question.

The CHAIRMAN. Well, he is going to get that response to the question that he raised that you have to have a written response to. So, we do have these additional questions, and I would like them answered as quickly as you can. I would like to move this as quickly as I can, and I would like the cooperation of this committee in doing so. If not, then we will schedule the markup for 7 days from now and mark it up as quickly as we can with the appropriate debate in committee.

Otherwise, I really don't see—I think you have answered all the questions honestly, and you should have satisfied everybody. I just want to personally congratulate you on this opportunity. I know you will make a great Secretary of Education, and that will carry on a tradition that I think is very, very important.

Thank you so much.

[Information subsequently supplied for the record follows:]

THE WHITE HOUSE

WASHINGTON

January 29, 1985

Dear Orrin:

This will respond to questions raised regarding the Administration's position on the existence of the Department of Education during your Committee's hearings on the nomination of Dr. William J. Bennett to be Secretary of Education.

As you know, I have previously recommended the abolition of the Department of Education. This was because I believed that Federal educational programs could be administered effectively without a cabinet-level agency. While I still feel that this is the best approach, that proposal has received very little support in the Congress. In nominating Dr. Bennett to be Secretary of Education, I have chosen a proven, capable administrator with an unquestioned commitment to excellence in education who will be able to present me with thoughtful, constructive views on ways to improve the Federal role in education. I have no intention of recommending abolition of the Department to the Congress at this time; rather, I have asked Dr. Bennett to advise me on the best ways possible for the Federal government to assist in improving the quality of American education.

Sincerely,

Ronald Reagan

The Honorable Orrin G. Hatch
Chairman
Committee on Labor and Human Resources
United States Senate
Washington, D.C. 20510

January 30, 1985

The Honorable Orrin G. Hatch
Chairman
Senate Committee on Labor
and Human Resources
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for the time and courtesy which you and the Labor and Human Resources Committee afforded me at my confirmation hearing to be the U.S. Secretary of Education.

Please find enclosed copies of my responses to questions from a number of Senators. I have also forwarded a copy of these responses to Senator Kennedy.

If you need any clarification or additional information, please do not hesitate to contact me.

Sincerely,

William J. Bennett

Enclosures

Senator Hatch:

Q: We have discussed at some length this afternoon the civil rights implications of the Grove City decision, and we heard testimony from the Honorable Cardiss Collins regarding the alleged discrimination where women and other minorities are concerned. We heard Senator Paul Simon's eloquent discussion regarding the student financial programs now in place, and his colloque with you about the ratio of women and minorities to others in the hiring practices of the NEH. These discussions were both interesting and stimulating.

We also talked about the reauthorization of student financial assistance programs and you were asked to respond to what has been reported in the press, only, on what the administration intends doing regarding stricter controls on student financial programs. These were healthy discussions.

What was not discussed, however, was the fact that there are significant gender differences in student financial assistance programs. Not long ago I read a policy brief issued in July 1984 by the American Council on Education on a study authored by Dr. Mary Moran, who served on the staff of the National Commission on Student Financial Assistance, which analyzed the reports of several commissions and came to the conclusion that there are, indeed, significant gender differences in the student financial assistance programs. I am attaching a copy of that policy brief.

My assessment of it suggests that as we consider reauthorization of the Higher Education Act, some of the findings of Dr. Moran's should be taken into account. While Dr. Moran's findings do not allege sex discrimination one could almost draw the conclusion form the data that such is possible.

Dr. Bennett, I would appreciate for the record of this hearing, your analysis of the brief and any suggestion you may have on how to make student financial assistance programs more responsive to the single women parent, or head of household?

A: I have not had a chance to analyze Dr. Moran's policy brief, but I believe that the Department's student financial assistance programs should be gender neutral. I will certainly look into this matter further when I get to the Department, and I can assure you that our Higher Education Reauthorization policies will <u>not</u> discriminate on the basis of sex or any other factor.

ORRIN G. HATCH, UTAH, CHAIRMAN
ROBERT T. STAFFORD, VT
DAN QUAYLE, IND.
DON NICKLES, OKLA.
GORDON J. HUMPHREY, N.H.
JEREMIAH DENTON, ALA.
LOWELL P. WEICKER, JR., CONN.
CHARLES E. GRASSLEY, IOWA
JOHN P. EAST, N.C.
PAULA HAWKINS, FLA.
EDWARD M. KENNEDY, MASS.
JENNINGS RANDOLPH, W. VA.
CLAIBORNE PELL, R.I.
THOMAS F. EAGLETON, MO.
DONALD W. RIEGLE, JR., MICH.
HOWARD M. METZENBAUM, OHIO
SPARK M. MATSUNAGA, HAWAII
CHRISTOPHER J. DODD, CONN.
DONALD E. DEKOSKI, STAFF DIRECTOR
KATHRYN O'L. HIGGINS, MINORITY STAFF DIRECTOR

United States Senate
COMMITTEE ON LABOR AND
HUMAN RESOURCES
WASHINGTON, D.C. 20510

January 29, 1985

Dr. William J. Bennett
Secretary-Designate
U.S. Department of Education
Washington, D.C. 20202

Dear Dr. Bennett:

I appreciated your appearance before our Committee.

As I noted yesterday, if you are confirmed, we will be working quite closely for some time. Therefore, anticipating the issues which will arise over the next few years and because of the lack of time to ask you many questions yesterday, I have attached a series of questions relating to important matters within the jurisdiction of our Subcommittee.

Because these questions directly bear on the conduct of federal education law and your plans as Secretary, I look forward to a full and complete response.

Sincerely yours,

Robert T. Stafford
United States Senator

RTS:bpt
Enclosures

MARK O. HATFIELD
OREGON

United States Senate
WASHINGTON, D.C.

January 24, 1985

The Honorable Robert T. Stafford
Chairman
Subcommittee on Education,
Arts and Humanities
Committee on Labor and Human Resources
United States Senate
Washington, D.C. 20510

Dear Bob:

It is my understanding that the Subcommittee on Education, Arts and Humanities has scheduled a hearing on the confirmation of William Bennett to be the next Secretary of Education. During that hearing, I would be grateful if questions were directed to him concerning the Administration's plans for streamlining the Department of Education and the effects of that effort on the National Institute of Education.

As you know, I have a strong interest in the N.I.E. and believe that the new Secretary should have a clear understanding of Congressional commitment to that institution. Reports about possible elimination or cutbacks in the agency concern me deeply. Your willingness to pose these concerns in question form would be greatly appreciated.

Thank you for your time and consideration of this request, and for your work on this important matter.

Warm regards.

Sincerely,

Mark O. Hatfield
United States Senator

MOH:jh

COMPENSATORY EDUCATION

Senator Stafford:

Q: Recently, the Congressional Budget Office released a study initiated by the Subcommittee on Education which indicated that children were the largest single population group in poverty. Most of these children are school-aged. What recommendations will you make regarding the future of the Chapter 1 program? Should funding be increased? If so, by how much?

A: I am not prepared to make specific recommendations about the future of the Chapter 1 program at this time. The National Institute of Education is in the process of conducting a national assessment of compensatory education as required by the Congress under P.L. 98-211, the ECIA Technical Amendments of 1983. The final report to Congress is due January 1987. I shall use the findings from this study as the basis for any recommendations that I make concerning the future of the Chapter 1 program.

I would like to delay making any comments concerning Chapter 1 funding until the 1986 budget is formally transmitted to Congress in early February.

Q: Chapter 1 presently is directed at students in the early primary grades. Very little finds its way to the middle schools and high schools. Should compensatory education services be expanded and intensified in the upper grades?

A: It is my understanding that nothing in the present law precludes local school districts from expanding services to students in the junior and senior high school grades. School districts choose, based on an assessment of educational need, which educationally disadvantaged children will receive Chapter 1 services. A significant portion (22%) of the students served during the 1982-83 school year were in junior and senior high school. The NIE study of compensatory education — mandated by the Congress and due in 1987 -should yield further information about the extent services are needed and provided in the upper grades.

Q: Would you recommend changes in how poverty is measured and how funds are distributed via the Chapter 1 formula?

A: I understand that two changes to the statutory formula have been proposed that would enable the Department to use the most recent available census data in allocating Chapter 1 funds. The first change would eliminate the requirement that part of the funds appropriated for Chapter 1 be distributed on the basis of obsolete 1975 Survey of Income and Education data. The second change would enable the Department to use the criteria of poverty associated with the 1980 census rather than the criteria used in compiling the 1970 census in making Chapter 1 allocations. I support these proposals.

Q: Would you recommend designing a voucher system for the Chapter 1 program?

A: As you know the Administration introduced a bill during the last Congress that would give States and local educational agencies the option of providing Chapter 1 compensatory education services through a voucher mechanism. I support that legislation.

Q: Does compensatory education work?

A: The data show that Chapter 1 has had moderate success in improving the basic skills of students participating in the program.

It is my understanding that, according to the 1982 Sustaining Effects Study, Chapter 1 students gain more than similar students who do not receive Chapter 1 services, in both reading and mathematics. Although significant, those gains are not great enough for the Chapter 1 participants to "catch up" with nondisadvantaged, non-Title I students. Over time, Chapter 1 has produced some sustained benefits for program participants, particularly in reading, but students receiving remedial mathematics instruction often regress when Chapter 1 support is removed.

More recent State data from the 1982-83 Chapter 1 Evaluation and Reporting System indicate that modest gains are found in all grades for mathematics and in all grades except 11 and 12 for reading. Academic gains for Chapter 1 students at the high school grades tend to be lower than for those in the elementary and junior high grades.

Q: To what extent have Head Start programs contributed to equality of education opportunities for disadvantaged students?

I should prefer to defer an analysis of the Head Start program to the Department of Health and Human Services, where the program is administered. However, from what I have read, I understand that the program is working well and has proven quite effective.

HANDICAPPED EDUCATION

1. What is your view of the appropriate federal role in supporting the States efforts to educate all handicapped students?

Specifically, what percentage of the total cost of educating handicapped students should be funded by the federal government?

ANSWER: The federal government should continue to offer technical assistance and funding to the states in support of their efforts to educate all handicapped children.

It is impossible to provide a specific percentage, at this time,before I have had an opportunity to review the programs that are being offered and their effectiveness.

2. Do you endorse the recommendation proposed in the recent Heritage Foundation report (Gardner, May 11, 1984) that the Federal government should reduce its support for the education of handicapped children in this country by implementing financial eligibility criteria under 94-142?

ANSWER: As I indicated in my response to your earlier question, Public Law 94-142 guarantees that all children are to be provided a "free and appropriate" education. I strongly support its full implementation. The Federal government has a responsibility, in cooperation with states and localities, to help meet the needs of key groups of students, including the handicapped.

The administration has also strongly supported education for handicapped children. On November 28, President Reagan, while signing a Presidential Proclamation honoring the Decade of the Disabled, reaffirmed his commitment to provide an education for all handicapped children. I support the President in this goal and I see no reason to change or weaken the mandate given to the Department of Education by Congress in P.L. 94-142.

3. The Handicapped Children's Protection Act introduced by Senator Weicker and myself in response to the Smith vs. Robinson Supreme Court decision would make reasonable attorney's fees under 94-142 available to parents at the discretion of the court. What is your view of this legislation? If you don't support it, what alternative would you propose?

ANSWER: I have not reviewed this legislation as yet and thus I am not able to offer my views on this proposal. While I am familiar with the Supreme Court decision Smith vs. Robinson, I believe it would be more appropriate for me to discuss this legislation with the Assistant Secretary for Special Education and with the Assistant Secretary for Civil Rights prior to making a formal statement. I will be happy to discuss this matter with you personally at your convenience.

4. What role should RSA take in encouraging supported work programs for severely disabled individuals?

ANSWER: RSA budget allocaticns, for both the State-Federal formula grant program and discretionary programs, should be focused primarily on services and systems which put clients in a job-ready state at the terminus of the rehabilitation process. Wherever possible, public monies should be used to develop dynamic, interactive partnerships with the private sector. A good example of this effort is Projects With Industry. Through this discretionary program RSA provides seed-money to projects in several industries which bring together experts in rehabilitation and representatives of businesses and industries. Through a concentrated evaluation, training and placement process several thousand disabled persons have returned to work in positions of entry, ranging upward to top management and the professions. Such projects should be replicated wherever possible at the state level.

Q: Do you believe in the conceptual framework of federal student financial assistance: namely, that federal aid should provide a student with access and choice?

A: Assuming you mean by "access", access to postsecondary education in general, and by "choice" access to a postsecondary education particularly suited to an individual's needs, I can answer with a not-too-qualified "Yes".

I believe that no qualified student should be denied a postsecondary education suitable to his/her needs for lack of financial means. To the extent that this requires a Federal effort, I support that effort.

However, I would emphasize that the financing of postsecondary education is a shared responsibility of students, parents, state and local governments, and the Federal Government. Of those parties, students and parents bear the principal responsibility while the Federal role should be limited to aiding those who without its help would be denied access or a reasonable degree of choice. Moreover, what is reasonable in the way of "choice" cannot be determined without considering resource constraints.

Q: Should federal aid policies be constructed in such a way as to favor public postsecondary education over private postsecondary education? If not, how would you ensure equitable treatment?

A: Federal student aid policies should be designed to serve the needs of students by providing assistance to those who without that assistance would be denied access to or reasonable choice among postsecondary education options. Ideally, this aid should be relatively neutral with respect to public and private postsecondary education.

For example, as I understand it, the Department's Pell Grant program, is characterized by voucher-like awards which students can use to finance a public, private non-profit, or proprietary school education, and is relatively neutral with respect to the public/private mix of individual student choices.

Q: Do you feel that costs in the GSL program have been held down as a result of the changes initiated under the Omnibus Budget Reconcilila-tion Act in 1981?

A: Yes, in particular, I believe the "origination fee" created by that legislation as a partial off-set against Federal interest subsidy costs has been very helpful in constraining GSL costs. I understand that it saved over $347 million in fiscal year 1984 alone. The partial need analysis limitation which was also created under the 1981 legislation has also been helpful in restraining unnecessary GSL loan volume and costs. However, as you know, the GSL program is the only major fiscal "entitlement" program operated by the Education Department; its costs continue to be high and to impinge on other priority programs. I think it's clear that the still very high level of Federal subsidization in this program needs to be thoroughly reexamined as we look for ways to constrain the Federal deficit.

Q: What specific recommendations will you make for the Guaranteed Student Loan Program (GSL)? Do you feel that the eligibility level should be capped according to family income? What level would that be? Should there be another means of assessing ability to pay for college education or is family income the best means? Could an arbitrary cap on family income adversely affect high-cost institutions? If not, why not?

A: I have not had much opportuinty as yet to review and evaluate these important issues. I am, however, sympathetic with the ideas that cost reductions in this program can and should be found, and that, at a time of general budgetary restraint, sizeable Federal interest subsidies should be targeted on the neediest students. I am not prepared to say at this time exactly what income eligibility rules should be drawn in this area. Obviously, institutions which tend to serve higher income GSL recipients would tend to be more heavily affected than others under any income test. I believe many high cost institutions would fit this description.

There are, I believe, a variety of ways by which Guaranteed Student Loan program costs might be constrained. Some might involve limiting borrower eligibility; others might not. For example, the appropriate level and structure of the Federal "special allowance" payments in suport of the lender's profit margin should be reviewed, along with the level of administrative allowances provided to state guarantee agencies.

Q: Do you favor instituting an across-the-board need assessment for GSL? What effect would this policy have on those students from families whose income now falls below the threshold for assessing remaining need?

A: Yes, I think that "across-the-board" need analysis is one reform which can and should be undertaken as soon as possible. I see no reason for any student to receive Federal aid in excess of his or her need—as determined under a uniformly applied system of assessing family financial strength. Of course, this policy would have some impact on students below the current $30,000 family income threshold for the application of need analysis. I believe, however, that the neediest students—those with zero expected family contribution—would be unaffected under such a policy. Moreover, I do not see why a "full-need analysis" policy which currently applies to all family income levels under each of the other Federal student aid programs should not be equally viable in this program.

Q: Have Pell Grant maximum award levels and the borrowing limits on GSLs kept pace with the increased costs of higher education?

A: As I understand it, the annual borrowing limits in the Guaranteed Student Loan program have been at $2,500 for undergraduates and $5,000 for graduate students for a number of years and that while the Pell Grant maximum award has increased it has not generally kept up with the inflation in college costs. Whether these limits should be raised in view of increasing costs depends upon answers to a number of questions such as:

— What is the most appropriate mix of Federal, State, institutional, student and parent support for higher education?

— What is the appropriate mix of loans, grants and work-study in the financial aid package?

— Are student loan burdens upon graduation already too high?

— To what extent do, or may, increases in Federal aid availability contribute to increases in higher education prices.

Questions such as these need to be addressed before the issue of raising award limits can be adequately answered.

Q: Should Federal student financial assistance be awarded on merit?

A: Awarding Federal student assistance on the basis of merit would be a major departure from current Education Department policies — a departure that should not be taken lightly, and one that I do not wish to cavalierly embrace or discard. I do believe that this is an issue that deserves serious attention in the upcoming debate over reauthorization of the Higher Education Act. I would like to defer my answer until I have given the matter the serious attention it deserves.

Q: Should the uniform methodology used in assessing student aid be changed? If yes, why; if not, why not?

Q: As I understand it, the "Uniform Methodology" for assessing student need is a long-standing creation of the higher education community itself, and it is used for purposes of State and private/institutional student assistance as well as for purposes of certain Federal student aid programs.

I believe that the whole area of student and family need analysis deserves to be thoroughly reviewed in the context of the upcoming Higher Education Act reauthorization. However, I would tend to be cautious about Federal intrusion into an area which has been successfully handled in the past through such a voluntary private sector approach.

Q: Do graduate students have enough financial resources available to them? Is enough being done to attract and finance graduate students in academic disciplines which hold the least promise for high remuneration when the graduate enters the world of work?

A: I have taught graduate students at universities in the East, West, North and South. And let me assure you, I have never met a graduate student who would admit to having "enough financial resources available to them." This is not to say, however, that I believe there ought to be a greatly expanded Federal role in this area. I do not.

I have also been a graduate student in more than one discipline--including philosophy, a discipline some might argue holds little "promise for high remuneration." However, using Federal dollars to attract people into fields holding "the least promise for higher remuneration" does not strike me in general as an appropriate use of Federal funds. For the most part, I believe the marketplace gives a good set of signals and students who couple these signals with a good understanding of their own abilities and inclinations will make decisions in their own as well as society's best interests.

Q: Should anything be done to redesign the financial aid systems available to graduate students?

A: Frankly, I am not completely familiar with the entire range of financial aid systems available to graduate students. However, I do know that the Education Department has several programs designed specifically for graduate students and several others such as the National Direct Student Loan program, the Guaranteed Student Loan program, and the College Work-Study program that provide substantial amounts of aid to graduate students. Moreover, there are numerous other Federal agencies that aid graduate students, many state, local, institutional and private sources of loans and fellowship aid, as well as research and teaching assistantships.

All in all, a very large and complex system of financial aid exists for graduate students which I need to understand before I can adequately answer this question. This is another area which I believe should be addressed during Higher Education Act reauthorization deliberations.

Q: What plans do you have for the college work/study program?

A: I cannot at this time spell out in specific detail any plans which I or the Administration may have for the Work-Study program. I can say that, from what I have learned, this appears to be one of the more successful Federal student aid programs, both in terms of providing employment opportunities to help needy students meet postsecondary costs and also in terms of stimulating individual student commitment to the completion of postsecondary programs.

I believe this program bears the distinction of having generated appropriation requests from the Administration substantially above levels which the Congress has been willing to provide.

Q: What is your assessment of the remaining campus-based programs--NDSLs and SEOGs? What plans do you have for them?

A: Again, I am not in a position to spell out in specific detail any particular proposals with respect to the Supplemental Grant and National Direct Loan programs.

I understand that these "campus-based" student aid programs have been very useful in providing relatively small, but needed amounts of aid which can be "packaged" at the discretion of the local student financial aid officer to fit the particular needs of individual students. In reviewing these programs, I would certainly look for ways to reduce Federal costs while also, perhaps, reducing administrative burdens and increasing the aid officer's flexibility in meeting student needs.

EDUCATIONAL EXCELLENCE

QUESTION #1

Do you feel that the federal promotion of excellence should be generally a public relations effort or should it have substance? If it should have substance, what would you propose to carry out the excellence effort programatically?

ANSWER

Federal efforts to promote excellence in education necessarily involve issues of both style and substance. The federal government has a legitimate role to play in meeting the financial and resource needs of special groups, and one of the most important and effective roles of the Secretary of Education is as an advocate of innovation and reform at all academic levels.

Many of the Administration's initiatives over the past four years have been representative of the type of substantive work I would encourage on behalf of educational excellence. Promotion of school discipline, higher training standards and competitive salaries for teachers, implementation of tuition tax credit and voucher legislation, and more stringent curriculum and graduation standards for students are several of the proposals I would hope to see seriously discussed over the next few years.

QUESTION #2

Are wealthier suburban districts better able to promote excellence than poor inner-city or rural districts are able to do? How can the federal government raise the excellence of the poorer school districts to attain excellence?

ANSWER

One of the Administration's most notable efforts in education has been to demonstrate that academic quality is not immutably tied to increases in spending. Members of the academic community are generally beginning to realize that there are factors within their control that do not require new monies to implement and administer-- increased school discipline can promote a better learning environment; higher curriculum and graduation requirements can lead to improved subject mastery; and the increased flexibility and autonomy afforded by the block grant program has reduced paperwork and administrative overhead so that more time and resources can be devoted to instruction and learning. These are factors which have benefited schools which have children of all social and economic levels.

In addition, the Department has strengthened, rather than diminished, its financial obligations to special needs groups. The President proposed an FY 1985 budget for the Department which targeted 85% of its total resources for low-income, disadvantaged, and handicapped children and adults and college students. I strongly support maintaining the Administration's commitment to compensatory education programs, for when applied in conjunction with these proposed reforms, educational opportunities can be increased for all children, regardless of their economic background.

QUESTION #3

How do you measure excellence?

ANSWER

I would simply define excellence in education as the most complete possible mastery of a students' chosen or required subject areas throughout his or her academic life. For a student to fulfill these responsibilities, and a school to promote and develop these opportunities, is "excellence" in their respective fields.

QUESTION #4

What is your view of the federal science and math law? Is it meeting the need? What changes would you recommend in program structure and its funding?

ANSWER

I fully shared the Administration's concern for the growing deficiencies in science and mathematics instruction in our schools, and support efforts to both improve basic skills and encourage new and qualified teachers in these areas. Inasmuch as the Department has not yet fully implemented regulations on P.L. 98-377, the success or failure of the program has yet to be assessed, and I would need further opportunities to evaluate its overall structure and efficiency.

QUESTION #5

In light of the renewed interest in the quality of education and your views on returning to the basics, what role do you see for libraries in the quality of education? How should the federal government support libraries?

ANSWER

I recognize the valuable role that libraries have in developing an educated and informed citizenry. Over the past quarter-century, the federal government has made significant contributions to the overall quality of this nation's library facilities and services. However, in a complex and rapidly expanding era of communications technology, it may be appropriate to shift the historical focus of the federal government away from direct, large-scale institutional support, and target what may be increasingly limited federal resources for technical assistance in dealing with rapidly emerging technologies, national leadership in assessing library needs, and the removing of institutional barriers to groups whose access to library facilities has previously been limited.

QUESTION #6

You have discussed a "national" test to measure educational achievement. How would such a test be constructed?

ANSWER

I am intrigued by the concept of a national academic achievement test as a possible research tool in assessing students' performance. We currently lack a uniform test of basic skills that incorporates a commonly accepted body of knowledge. However, we are a long way from defining either this body of knowledge or how it would readily be tested. My interest at this point is theoretical; an enormous amount of research and discussion remains before this could be put into practice.

Chapter 2

QUESTION

The Chapter 2 program is the first significant block grant enacted for education after proposals made by many of President Reagan's successors met with failure in Congress. Yet, despite the affinity of the Administration for block grants, the requests for spending for Chapter 2, with one exception, have been extremely low.

What is your commitment to the Chapter 2 program? How do you feel it is working? What spending level would you liked to recommend for Chapter 2 -- should we be increasing our commitment or not?

ANSWER

I support the concept of block grants since they generally give state and local policymakers more authority with less burden and intrusion. However, there are some programs which should not be block granted because of the special services that are provided to a unique problem or population. I am aware of studies that both support and oppose the track record of the Chapter 2 block grant. My initial reaction is that this has been a successful program. I look forward to examining the Chapter 2 program's budget to see whether or not it is sufficient for current services and make sure that the program is operating efficiently and truly doing what it was originally intended to do.

QUESTION

Do you feel that school districts have used Chapter 2 funds with little imagination? Has too much been spent on materials and equipment? What do you think about the level of creativity and imagination that school districts have shown with Chapter 2 funding?

ANSWER

I have not seen any detailed accounts of how states are spending their Chapter 2 funds. I would hope that school districts are not only being creative with their funds but are implementing programs and buying equipment that best serves the needs of the teachers and students. Local school districts should be using these funds to take care of problem areas or initiate programs to promote learning. I do think that local educators are aware of their needs and would rather have flexibility instead of numerous categorical programs which may not help them.

Chapter 2

QUESTION

What would you specifically plan to do with the discretionary funds allotted to the Secretary within Chapter 2?

ANSWER

A substantial part of the Secretary's discretionary fund is already targeted by Congress. I would like to target specific areas to promote excellence in education at all levels but to be specific at this time before I am on board to examine what types of activities will best meet my priorities, would be premature and unfair to some areas.

QUESTION

When Chapter 2 is reauthorized in the next Congress, what changes might you consider recommending to the Congress?

ANSWER

I look forward to working with both you and Senator Pell in reexamining Chapter 2 to see if it is best serving the priority needs for improving elementary and secondary education. The Department of Education will be submitting legislation at the appropriate time and I am optimistic that the recommendations will be positive and will improve the program.

VOCATIONAL EDUCATION

Q: The Administration's budget request and block grant for vocational education have been rejected by Congress, and the President's "new federalism" proposal to eliminate the Federal vocational law was ignored.

Given the continuing commitment to vocational education and the redirection in the new law, do you feel that the Administration's commitment should be increased? Would you recommend a supplemental appropriation to bring the fiscal 1985 appropriation up to the authorized level in the Carl D. Perkins Vocational Education Act of 1984?

A: The Administration's budget proposal for 1986 will be released on February 4. That proposal will include any requests for supplemental appropriations.

I am an advocate of continued Federal support for and leadership in vocational education. This can take many forms, including encouragement of excellence in vocational programs and development and dissemination of effective program models, as well as direct support of local programs. Some of the most important things that can be done by the Federal government do not require increased appropriations.

Q: Do you feel that the vocational education system has not kept up with the need to modernize programs? How would you ensure that the new law's emphasis on program improvement, innovation, and expansion is carried out by the States?

A: It is my understanding that research results indicate that modernization of vocational education has not been consistent across all programs. In many cases, students in depressed central cities or in isolated rural areas do not have the same access as other students to high-quality programs. I am hopeful that, under the new Perkins Act, the States will take measures to make up-to-date vocational education more widely and equitably available.

While the Federal government has a role to play in the modernization of the vocational education system, there is probably a limit to how much we should be expected to do. For instance, I have heard that many vocational educators in secretarial programs would like to have available one "state-of-the-art" word processor for every student. To accomplish this on a national basis would be extremely expensive and probably unwise because new generations of word processors are produced every few years and because using a word processor has become so simple that a new secretary with good typing skills (learned on any type of machine) can be taught, on the job, to use a word processor in less than a day. The same argument can be made about major new purchases of other types of "high technology" equipment. Rather than attempt to modernize all vocational education programs, it would be more appropriate to develop joint programs with industry in which students are trained by vocational instructors on equipment owned by private businesses for jobs in which those businesses actually have openings. This is the most efficient way of ensuring that vocational programs stay current with the latest technologies, and it is a strategy that I expect the Department will continue to encourage.

As for ensuring that the new law's emphasis on program improvements is carried out, the Department has taken the position that funds under Title II-B of the Act may be used to improve, expand, and modernize programs, but may not be used merely to maintain existing services or activities. Although this may be a controversial position, it is fully supported by the language of the Perkins Act. It would be my intention to monitor State plans and reports carefully to ensure that the States comply with the terms of the legislation and regulations.

Q: Do you feel that access to vocational education for special populations — the handicapped, the poor, women — has been about right, too little, or too much? Do you feel that these populations have been given equal access to good programs or to inferior programs?

A: A major objective of the Carl D. Perkins Vocational Educaton Act is to ensure that individuals with special needs have equal opportunity to participate in vocational education programs. Until we have reached this goal of equal opportunity, I cannot say that the special populations have received sufficient access. I believe that, in light of competing priorities, the set-asides in the Perkins Act are at about the right levels.

In recent years vocational education has increased the access of special populations to quality programs. Women have started to enter programs which offer training in traditionally male-dominated occupations. Under the Education of Handicapped Children Act and the Vocational Education Act, many handicapped individuals have been mainstreamed in regular vocational programs. Further progress in reaching these goals needs to be achieved, particularly in making quality programs available in poor urban and rural communities. I believe this progress can be achieved under the Perkins Act.

Q: What monitoring systems would you put in place to ensure that the target populations in the Vocational Education Act are appropriately served?

A: The Carl D. Perkins Vocational Education Act requires the Department to provide technical assistance and guidance to the States in carrying out their planning requirements under the Act. These requirements include an assessment of the special needs of the handicapped, disadvantaged, adults, women, and prison inmates for access to vocational education. The Act also requires the Department to conduct analyses of State plans and evaluations and to make suggestions to the States for improvement in planning and program operations. The Department will faithfully comply with these requirements.

Q: What are your plans for carrying out the discretionary funding allotted to the Secretary in the new Act?

A: The Congress appropriated $8,178,000 for Programs of National Significance, under the antecedent Vocaional Education Act, in fiscal year 1985. It is my understanding that these funds will be expended under the National Programs authority of the new Perkins Act. Of the total appropriated, $2,243,000 is earmarked in the appropriation act for the National Occupational Information Coordinating Committee and $5,400,000 is earmarked in report language for the National Center for Research in Vocational Education. This leaves only $534,900 for discretionary activities. This money will be used for a few research projects in critical areas. It will also be my plan to seek resources, within the Department, to get the mandated National Institute of Education assessment of vocational education underway during the current fiscal year.

GENERAL

1. What is your view of prayer in public schools?

ANSWER: I believe prayer should not be prohibited in public schools, as long as no one is required to participate and no federal or state prayer is composed or mandated.

2. In November, the Department issued new regulations establishing new procedures for enforcing the "Protection of Pupil Rights" passed in 1974, known as the Hatch Amendment. To what extent would you justify, as these regulations require, the involvement of the federal government in matters relating to the determination of curricula by local school systems?

ANSWER: As you know, Congress passed legislation in response to parents' concerns that their children were receiving specific kinds of instruction or being asked personal questions without parental knowledge or consent. The Department has finalized regulations implementing this law. The regulations provide parents an opportunity to inspect instructional materials and to approve or disapprove certain kinds of testing of their children. If a parent believes there has been a violation, he may file a complaint with the local authorities. This is totally consistent with the Administration's philosophy emphasizing local decision-making. Only when a complaint cannot be resolved at the local level does the complainant come to the federal government--and only if the complainant has evidence of a failed resolution at the local or state level.

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ADDITIONAL QUESTIONS

QUESTION

The Heritage Foundation's report, Mandate for Leadership, supports limited federal government support for handicapped children. What is your response to this?

ANSWER

Public Law 94-142 guarantees that all children are to be provided a "free and appropriate" education. I strongly support its full implementation. The federal government has a responsibility, in cooperation with states and localities, to help meet the needs of key groups of students, including the handicapped.

The administration has also strongly supported education for handicapped children. On November 28, 1983, President Reagan, while signing a Presidential Proclamation honoring the Decade of the Disabled, reaffirmed his commitment to provide an education for all handicapped children. I support the President in this goal and would not attempt to change or weaken the mandate given to the Department of Education by Congress in P.L. 94-142.

QUESTION

Would you support a financial needs tests for families whose children receive assistance under Public Law 94-142?

ANSWER

I would not support a financial needs tests for any family whose child receives assistance through P.L. 94-142. I believe that the federal government has a responsibility to assist states and local school districts in providing an education for handicapped and disabled children. Both the President and I support only the strictest enforcement and implementation of the Education of the Handicapped Act, PL 94-142.

National Graduate Fellows Program

The National Graduate Fellows Program, authorized for the Department of Education, would provide fellowships to exceptionally talented students--to be known as Javits Fellows--for graduate study in the arts, humanities and social sciences. The program has strong supporters in the Congress and last fall received its first funding of $2.5 million, with my strong personal support. I understand that Department of Education staff have been working hard to implement this program, which has generated great interest and excitement in the academic community. However, I am concerned that the program be ready to go for the fall. The program, which selects fellowship recipients "on the basis of demonstrated achievement and exceptional promise," would seem to be congruent with your well publicized call for excellence in scholarship.

Specifically, when will the program be ready? Also, I want to be kept informed of the progress of this situation.

The National Graduate Fellows Program (Javits Fellows) was established by P.L. 96-374, the Education Amendments of 1980. No appropriation was made for the program until FY 1985 when $2.5 million was included in the Appropriation Act which was signed on November 8, 1984. The statute requires the appointment of a Presidential Fellowship Board which functions not only as a policy body but partially as an administrative body as well. Since November, the Department of Education has been engaged in identifying potential candidates for appointment to the Board and in making preliminary plans for publishing applications, regulations, and other program materials. Once the Board is appointed and all clearances are obtained, the agency will be prepared to move forward rather expeditiously with the administration of this program.

January 28, 1985

The Honorable Strom Thurmond
United States Senate
Washington, D.C. 20510

Dear Senator Thurmond:

Attached are my responses to your written questions pursuant to this afternoon's Labor and Human Resources Committee confirmation hearing on my nomination as Secretary of the U.S. Department of Education. I am forwarding copies of the questions and answers to Senators Hatch and Kennedy.

If you need any clarification or additional information, please do not hesitate to contact me.

Sincerely,

William J. Bennett

QUESTIONS FROM SENATOR THURMOND

Mr. Bennett, what do you view as the role of the federal government in education, and what responsibilities do you feel should be allocated to the states?

ANSWER

Traditionally, it has been the federal government's responsibility to meet the needs of key groups of students--those students "most at risk." They include minorities, the disadvantaged, the handicapped, the gifted and talented.

The federal government has a role in providing assistance where states and localities cannot meet the need--in collecting data, statistics, and information about education generally; supporting curriculum improvement and research; in protecting constitutional and civil rights.

State and local officials have the primary responsibility for financing and governing the schools. I feel that this is appropriate.

Q: What steps would you recommend to control the cost of student financial aid programs?

A: I believe the best way to control student aid costs is, first of all, to make sure that the Department's student aid programs are targeted on the students most in need. Secondly, we must insist that both parents and students take greater responsibility for financing the costs of a college education, of which they are the primary beneficiary. Lastly, I believe we must deal with program abuses by taking such actions as tightening up on the definition of an "independent student" and reducing error rates in the Pell Grant program.

QUESTION

How much emphasis would you put on important programs such as vocational rehabilitation?

ANSWER

The vocational rehabilitation program is indeed an important one. If confirmed, I will continue to emphasize the use of federal funds to assist physically and mentally handicapped adults and youth to become independent and gainfully employed. The wide range of services that are provided support handicapped persons and provide them with a marketable skill as they seek to become a part of the mainstream of American society.

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QUESTIONS FROM SENATOR WEICKER

QUESTION 1. Are you committed to the prompt and vigorous enforcement of the rights of disabled citizens established under P.L. 94-142 and Section 504?

ANSWER: I strongly support the full implementation of Public Law 94-142 which guarantees all children a free and appropriate education and Section 504 which creates educational and occupational opportunities for disabled persons. The federal government has a responsibility, in cooperation with the states and localities, to help meet the needs of these special populations.

2. Please discuss your plans for the Department's enforcement of civil rights under P.L. 94-142 and Section 504?

ANSWER: The Department of Education contains an Office of Special Education and Rehabilitative Services, the entire staff of which is devoted to effective and efficient administration of P.L. 94-142 and the Rehabilitation Act of 1973, as amended. Of course, this responsibility includes comprehensive monitoring, and providing oversight and technical assistance to states and localities regarding all provisions of the law including the civil rights guarantees. In addition, the Office of Civil Rights in the Department of Education has the responsibility of investigating complaints; not only those involving alleged discrimination on the basis of handicap but also on all other alleged abridgments of civil rights guarantees contained in other statutes. I assure you that I will undertake an analysis of the functions of these two offices regarding their respective investigatory and enforcement practices involving the handicapped. The end result which I desire is to provide a responsive and efficient outreach to the Nation's handicapped population regarding this matter.

QUESTION 3. Under your leadership, would the Department of Education seek out disabled persons and their parents to make them knowledgeable of their rights?

ANSWER: I am advised that the Department currently provides consultative services of outreach nature for advising and informing the handicapped of their rights. As I understand this, these existing services consist of the provision of high level staff positions which are devoted full time to offering such services; and further to put in place a network of consultative type services across the Nation for the handicapped and their representatives. Of course, we also desire to enlist the assistance of state personnel and resources in this effort as well. I will be interested in assessing the overall effectiveness of these endeavors and to improve them whenever possible.

QUESTION 4. In P.L. 98-199, it is mandated that the Annual Report to Congress be "Disseminated in Sufficient Quantities to the Education Community at Large and to Other Interested Parties." How many copies of the FY 1985 Annual Report will be available for dissemination?

ANSWER: 1,000

QUESTION #5

Two bills have been recently introduced to reverse the Grove City decision. Congressman Hawkins' bill assures the same civil rights protections to women, elderly, handicapped, and minorities. Senator Dole's bill does not provide the same assurances for all four groups. What is your rationale for supporting a bill that does not extend equal civil rights protections to all four groups?

ANSWER

Senator Dole's bill, while apparently targeted towards reversing the effects of the Grove City decision on civil rights enforcement at education institutions, also restores the breadth of coverage over all other types of federal financial assistance that was in effect prior to that ruling. This is the common goal that the Administration and other opponents of Grove City have in mind. Any remaining differences are over the means to that end. Problems remain with regard to the interpretation of language in the Hawkins bill; I feel that Senator Dole's approach is legally sound and well-reasoned.

QUESTION #6

Wouldn't a possible court interpretation of such a bill be that since all groups are not covered equally, Congress actually intended for some groups to have more civil rights than others?

ANSWER

I believe all groups are covered equally-- preferential treatment is not extended to one group more than any other. The language in Senator Dole's bill applies the coverage of all education recipients on an equal, institution-wide basis, and mitigates the limiting effects of the Grove City and North Haven cases on all other types of federal financial assistance under the four affected anti-discrimination statutes. The bill is well-crafted, provides equitable treatment for all recipients of all types of assistance, and contains no apparent loopholes which would either restrict or expand the intended amount of coverage.

QUESTIONS OF
SENATOR KENNEDY

QUESTION 1

If cuts are made in student financial aid, should the program be targeted to students from lower income families? Should merit as opposed to need be the basis for awarding student aid?

ANSWER

As I said in my testimony on January 28, that in disbursing public funds, we must be certain that we are doing so as efficiently as possible, ensuring that financial assistance is directed to those in greatest need. There should be accountability from the recipients of federal dollars. For example, students should not be able to receive federal grants and loans for five years to attain a sophomore standing.

QUESTION 2. You have stated your concerns with the quality of education in this country, especially higher education.

As Secretary of Education, do you think the Federal government has a role to play in restoring excellence in education?

What plans do you have to revitalize our schools--elementary, secondary and postsecondary?

ANSWER: With the report of the National Commission on Excellence in Education, the Federal government has played a major role in identifying the problems in our schools and in articulating clearly defined national goals. To maintain the pace of educational reform, I believe the Department of Education must exercise vigorous leadership in enunciating and promoting the educational aspirations of the American people.

A second proper role for the Federal government is to collect, analyze, and disseminate reliable information on the state of American education. In keeping with this role, I believe the Department of Education should also seek to identify areas of deficiency and opportunities for improvement in American education.

If we are to be successful in our efforts to revitalize our schools, we must concentrate our efforts on the most important ingredient in providing an excellent education: the quality and enthusiasm of our teachers.

As Secretary of Education I will work to provide incentives for our teacher by attempting to institute merit pay reform, career ladders and teacher competency testing. In this way we can insure that our children are being taught by the best and the brightest and that those teachers are being rewarded for their efforts.

QUESTION 3

I am troubled by recent reports that the number of youngsters dropping out of high school is on the increase. Especially troubling is that this increase is occurring among those who can least afford to leave school --- our minority youth.

As Secretary of Education, what would you do to reverse this trend.

ANSWER

I, too, share your concern about our national dropout rate. I am certain that this dropout rate is largely responsible for the frightening increase in adult literacy and, of course, a contributing factor to crime, broken homes, and even child abuse.

The dropout rate is a national problem and, while the Department of Education can play a meaningful role in focusing attention on the problem, many of the solutions will come and should come from local school officials and community groups. We have seen an effort to reform education in virtually every state legislature in the country.

The effort to reform education is moving forward and I am looking forward to, as Secretary of Education, keeping that movement strong and vital.

QUESTION 4

Do you support organized prayer in schools?

ANSWER

I support prayer in the public schools as long as no one is required to participate and no federal or state prayer is required. I feel very comfortable with the President's voluntary school prayer constitutional amendment since it does not mandate prayer in schools, but rather does not prohibit such activity.

5. You have been reported as supporting the elimination of categorical aid programs, such as impact aid, subsidies for the handicapped and bilingual education, and favoring more federal block grants to the states and localities.

Is this true?

A. I do believe that federal support to states and localities should increasingly take the form of block grants. At the same time, I also believe that the Federal government has, and should have, a continuing responsibility for the special populations referred to in the question. Accordingly, any substitution of block grants for categorical aid programs should only take place in a manner which does not adversely affect these populations, ensuring that these continuing Federal responsibilities for special populations are fully met.

6. Q: **Congress recently reauthorized and strengthened the Bilingual Education Act. The new law like never before takes into account the needs of students, the aspirations of parents and expectations of taxpayers. Until now, the Department has moved slowly in implementing the new law.**

Will you move quickly to implement this law and support adequate funding for the new program?

A: **It is my understanding that the Department has moved very quickly to implement the bilingual provisions of the Education Admendments of 1984 (P.L. 98-511). Regulations development began almost immediately after the President signed the law. In order to further expedite the process, a Departmental task force was established on January 8, 1985. In order to expedite the award of fiscal year 1985 funds, a decision was made on January 3, 1985 to operate the program this year using the amended statute and the Education Department General Administrative Provisions. Nonetheless the Department intends to issue proposed rules within the next few weeks, which would govern the program in fiscal year 1986.**

One problem confronted by the Department in implementing the new law was the conflict between the amounts specified in appropriations report language for 1985 and earmarks in the new law. On December 10, 1984, a letter was sent to thirteen Congressmen and Senators, including Senator Kennedy, explaining how we resolved this problem.

I would like to delay making any further comments concerning Bilingual Education funding until the 1986 budget is formally transmitted to Congress in early February.

QUESTION 7

On November 28,1983 in the remarks of the President at the signing ceremony for the Proclamation on the Decade of Disabled Persons it is stated..."We believe equal opportunity, equal access and greater independence must be more than slogans."

As the leader of the U.S. Department of Education, what are your plans to promote "equal opportunity, equal access and greater economic indpendence" for disabled persons?

ANSWER

Public Law 94-142 guarantees that all children are to be provided a "free and appropriate education. I strongly support its full implementation. The federal government has a responsibility, in cooperation with states and localities, to help meet the needs of key groups of students, including the handicapped.

In an effort to gain more parental and community involvement for handicapped programs and initiatives, I would encourage the use of federal funds to provide outreach for parents and those involved with the care of the handicapped. I would also work hard to resolve any problems brought to the Department by citizens either collectively or individually. An efficient and effective administration of the Congressional mandate and all other rules and regulations affecting the handicapped would go along way to insuring "equal opportunity, equal access and greater economic independence" for disabled persons.

8(a) In January of 1984, you wrote a letter to Clarence Thomas, Chairman of the Equal Employment Opportunity Commission in which you stated your views concerning the use of goals and timetables. Does that letter continue to represent your views on this subject?

A. Yes.

8(b) In particular, you wrote that "(T)o request that we set and state numerical 'goals' for hiring is to ask us to anticipate hiring on the basis of such goals...(and)...asks us to consider race or sex or color as reasonable ingredients in such decisions." (Our emphasis.)

Does your view of the use of goals or timetables apply to other areas of civil rights law such as desegregation of higher education (Criteria for Dismantling DeJure Systems of Public Higher Education 43 Fed. Register 6658, Feb. 15, 1978)?

A. I adhere to the principles articulated in my referenced letter to the Equal Employment Opportunity Commission, and believe that they should apply wherever possible within existing civil rights law, as interpreted by the United States Supreme Court. As the letter observed, importantly, there has never been a finding of discrimination against the National Endowment for the Humanities, either under my Chairmanship or previously. The EEOC request, therefore, was clearly distinguishable from those situations where race-conscious remedies have been imposed in the context of a judicial finding of discrimination. I do, in general, believe that remedial action is appropriate to address the effects of past discrimination in various segments of American society, including educational institutions.

8(c) If the answer to 8(b) is "yes", do you as Secretary intend to follow your own views rather than the criteria cited above?

If the answer to 8(b) is "no", how would you square your obligation to enforce such regulations as an officer of the United States with what you have indicated are deeply held personal views?

A. If confirmed as Secretary, I intend, consistent with my sworn obligations, fully to comply with and enforce existing statutory and regulatory requirements. Where I believe such laws or regulations are unjust,or reflect misguided social policy, I will endeavor, within all legal requirements, to see that such statutes or regulations are appropriately amended.

9. As Secretary of Education, will you submit an affirmative action plan to EEOC as required by Reorganization Plan #4?

A. (I presume that the question refers to Reorganization Plan #1 of 1978) Yes.

10(a) Are you aware that affirmative action plans are one of the principal remedial tools used by the Department of Education where there has been a finding of discrimination?

A. Yes.

10(b) Do you support affirmative action plans to remedy a finding of past discrimination?

A. Yes.

10(c) If the answer to 10(b) is "yes", how do you square that answer with your view that race should never be taken into account in any government decision making?

A. See my response to 8(b) above.

11. Q: a) Are you familiar with the case of Adams v. Richardson, now Adams v. Bell, currently pending in Federal Court in the District of Columbia?

b) That case involves state systems of higher education where the Office of Civil Rights made specific findings of discrimination as long ago as 1969. In 1973, the D.C. Circuit ordered the Department to begin enforcement proceedings against state systems of higher education which had not fully dismantled their dual systems. After numerous negotiations and further commitments by the states, six states are now under court order to achieve their commitments by the fall of 1985. Data will soon become available on how they are doing.

If the evaluation of this data indicates that these states will not meet their commitments by the fall of 1985 do you intend to initiate enforcement proceedings?

If the answer to (b) is "no" please indicate why not and detail the steps you intend to take under these circumstances. Be specific.

A: My understanding is that the court order required the Department to commence Title VI enforcement proceedings against any state determined to have failed to achieve substantial progress toward the goals of its plan. The Office of Civil Rights reviewed the plans and the progress of these six states as required by the order. As of this date, OCR has determined that all six states have made substantial progress in meeting their goals. OCR will continue to monitor implementation of the plans and appropriate action will be taken if any violations of Title VI are found.

12. Q: I understand that it will cost the Federal Government approximately $3 billion this year to cover the cost of student loans that are in default?

What is the Department doing to recop these costs?

Isn't it true that the Government can save more money by cutting the cost of defaulted loans in half than by limiting eligibility to students from families with incomes less than $32,500 or by putting the $4,000 cap on student aid?

Wouldn't you agree that in the name of reducing the deficit we will be unfairly limiting the opportunities of thousands of young people?

Wouldn't it be more equitable and wiser public policy to collect from those students who have already benefitted from the program?

A: I believe the $3 billion you cite refers to the total outstanding defaults in the Guaranteed Student Loan (GSL) program. This is the cumulative outstanding defaults over the approximately 20 year history of this program. Over this period, approximately $40 billion in loans have been made to students.

The Department is continuing its aggressive efforts to reduce the incidence of default and to collect on defaulted loans. Collections in FY 1985 are expected to total $212 million, a $53 million increase over FY 1984 or an increase of 33 percent.

The Department will continue to refer defaulted accounts to private collection agencies. Referral of accounts to the Department of Justice for litigation is also increasing. The Department's final regulations on off-setting the salary of Federal employees in default on student loans became effective on March 28, 1984. Referral of account information on defaulted loans to national consumer credit bureaus began last spring. This serves both as a disincentive to default and as an incentive to repay loans already in default. The Department's Financial Recovery Management System, which increases productivity through automation, became fully operational in June 1984. Also, the Department will shortly begin to implement the new statutory authority for off-setting student loan debts against Federal income tax refunds. This is expected to be a powerful tool in increasing student loan default collections.

In addition to these and other "operational" measures to reduce defaults and improve collections, the Department is also planning to resubmit to the Congress this year an updated version of the "Student Loan Collection Improvement Amendments of 1983", as part of its FY 1986 legislative proposals. The proposed amendments would: require loan checks, payable to the student and institution as copayees, to be sent to the student's institution; tighten institutional and guarantee agency audit requirements; provide that the six-year Federal statute of limitations for filing suit for collection of a loan would apply to guarantee agencies if the period under State law is less than six years; and expand credit bureau reporting requirements.

12.--Cont.

Finally, the Department anticipates publishing revised GSL program regulations in the near future. These revised regulations will strengthen lender and guarantee agency due diligence requirements in making, servicing and collecting loans, and will establish criteria for the assignment of guarantee agency defaulted accounts to the Department.

In summary, the Department is doing everything it can to recoup these default costs and the anticipated collections have been factored into its budget estimates. However, there is a need for additional savings. The proposed eligibility and aid caps are designed to achieve further savings--particularly in the Federal interest subsidy costs which account for nearly two-thirds of annual GSL costs.

It is my understanding that the caps are designed to target scarce Federal resources on students from the lowest income families--those families most in need of Federal assistance to attend college. It is not expected that the proposed new limits will deny any student access to a postsecondary education.

ADDITIONAL QUESTIONS SUBMITTED

BY SENATOR KENNEDY

1. a. Does existing civil rights law, as interpreted by the Supreme Court, permit the federal government to require public and private entities to "consider race or sex or color as reasonable ingredients" in reaching employment, school assignments or other civil rights related decisions?

b. If the answer to (a) is "yes", will you use these legal tools in carrying out your responsibilities as Secretary?

ANSWER:

1(a) Yes.

1(b) I will do so, as the law requires. I intend to comply fully with the letter and spirit of the law.

2. You did not answer my question regarding Adams v. Bell. Judge Pratt's March 24, 1983 order requires the Department to secure full compliance from the states no later than the Fall of 1985. If the Department concludes that the states have not fully met each of their commitments and have not fully dismantled their dual systems by the Fall of 1985, will the Department begin enforcement proceedings against the states at that time?

ANSWER: If it is determined that states are not in compliance with title VI and it is determined that enforcement proceedings are the best way to bring them into compliance, I intend to see to it that statutory enforcement remedies will be pursued.

QUESTIONS FROM SENATOR PELL

The student loan default rate is currently at 10.9%. Why isn't the collection system working more effectively? Why is there a 10.9% default rate? What can we do to respond to this problem?

ANSWER

The student loan default rate is currently 4.8%, not 10.9%. The 10.9% figure represents the cumulative default rate for all guaranteed student loans (GSLs) since the program was initiated. In Fiscal Year 1980, the rate was 5.9%; in FY 81 the rate was 5.8%; in FY 82 the rate was 5.0%; in FY 83 the rate declined to the 4.8% level.

These figures indicate that the collection system has been working much more effectively in recent years, and will continue to improve as the measures contained in the Debt Collection Act of 1982 are implemented. That act has provided important tools to assist in the collection of defaulted loans. These include:

1. Reporting to the National Credit Bureau the names of those students who have defaulted on their loans;

2. private collection contractors have been hired to supplement the Department's collection effort;

3. a system which matches Federal employee records with student loan defaulters has identified 46,000 employees. These employees must bring their loans back to the current status or be subjected to a possible 15% garnishment of their salary.

As to why the default rate is as high as it is, I believe that it is due largely to the fact that prior to 1982, no concerted effort was made to collect on these debts.

If the rate of default is to continue declining, the Department of Education must maintain its efforts to pursue those students who have reneged on their commitment and can now repay their student loans. Congress can assist in this effort by passing legislation similar to H. R. 4503 introduced by Rep. Erlenhorn in the 98th Congress.

Q: Is the College Work Study Program included under the $4,000 cap in total student financial assistance that is proposed by the Office of Management and Budget?

A: Yes, it is included. However, many of the details of our student aid proposals will have to await the transmittal of the President's Budget and our legislative program.

QUESTIONS FROM SENATOR DODD

Historically, the federal role in education has been one of assuring constitutionally guaranteed access and equal education opportunities. Will you continue to support this role and to oppose federal intrusion into local curriculum and instructional decisions? How do you plan to implement those regulations (Section 439 of GEPA) so that they will not be intrusive?

ANSWER

As you know, Congress passed this legislation in response to parents' concerns that their children were receiving specific kinds of instruction or being asked personal questions without parental knowledge or consent. The Department has finalized regulations implementing this law. The regulations provide parents an opportunity to inspect instructional materials and to approve or disapprove certain kinds of testing of their children. If a parent believes there has been a violation, he may file a complaint with the local authorities. This is totally consistent with the Administration's philosophy emphasizing local decision-making. Only when a complaint cannot be resolved at the local level does the complainant come to the federal government-- and only if the complainant has evidence of a failed resolution at the local or state level.

QUESTION

As Secretary of Education, what programs might you propose to address this problem? (Of deteriorating instructional, research, and engineering instrumentation and equipment in university research labs and academic institutions)

ANSWER

While the Administration proposed a four-year authorization of $50 million per year in scholarship assistance for mathematics and science students, and strongly supports improved teacher training and curriculum development in this area, the Department currently has no programs which fund basic or applied research or instrumentation at the post-secondary level. Questions relating to research instrumentation policy would properly be addressed by the National Science Foundation.

RESPONSES TO QUESTIONS BY SENATOR SIMON

MEETING WITH CONSERVATIVE GROUPS REGARDING APPOINTMENT

Q. You were reliably reported to have met with the representatives of several conservative organizations and members of the majority staff of this Committee to discuss your nomination to be Secretary of Education. Did you, in fact, attend such a meeting?

A. Yes. I attended this meeting at the specific request of the Office of Presidential Personnel at the White House to discuss my views concerning education.

Q. What was the purpose of this meeting, as it was described to you? What did you discuss at the meeting? Did you make any commitments regarding policy questions or legal issues that might come before you as Secretary of Education?

A. I was advised by the White House that they wanted certain individuals under consideration for Secretary of Education to meet with the representatives of various organizations, in order to obtain the views of these organizations as to the relative merits of the individual candidates. At the meeting, I discussed my views as to sound educational principles and the appropriate Federal role in education, addressing questions similar to those raised in my confirmation hearings and involving matters on which I have frequently commented publicly. I made no commitments of any nature regarding policy questions or legal issues that might come before me as Secretary of Education. Instead, I stated my philosophical disposition on various issues.

Q. In your view, what role or status does this interview have in the constitutional process of nomination by the President with the "advice and consent" of the Senate? Should this type of precedent be continued by others?

A. The particular interview in question, it seems to me, did not circumvent the advice and consent responsibilities of the Senate under the United States Constitution. I do not think it inherently inappropriate for someone under consideration for a Federal appointment to discuss his views with different individuals or groups. My expressed reservations about attending this meeting were because I was not campaigning for this nomination and in no way wanted to appear to be doing so.

Q. Did you attempt to meet or did you meet with the representatives of other groups to review your interest in or qualifications for the position of Secretary -- before coming before this Committee?

A. I have not met with representatives of any other groups before appearing before this Committee. I have, however, already agreed to meet with the President of the National Education Association and intend to do so in the immediate future.

SUBMISSION OF AN AFFIRMATIVE ACTION PLAN
TO THE EEOC

Q. On what basis, legal or otherwise, did you decline to transmit to the Equal Employment Opportunity Commission the affirmative action plan required under authority granted by section 717 of the Civil Rights Act of 1964, as amended; Executive Order 12067 and the Reorganization Plan No. 1 of 1978?

Section 717 of Title VII requires the Civil Service Commission (now the EEOC):

> ....Be responsible for the annual review approval of a national and regional equal employment opportunity plan which each (Federal) department and agency ... shall submit in order to maintain an affirmative program of equal employment opportunity.

A. As Chairman of the National Endowment for the Humanities, I fully complied with all legal requirements of the Office of Personnel Management in submitting NEH's Federal Equal Opportunity Recruitment Plan and in reporting to the Equal Employment Opportunity Commission on Endowment staffing and affirmative action objectives.

As I indicated in my letter of January 16, 1984 to Mr. Clarence Thomas, Chairman of the Equal Employment Opportunity Commission, I did not provide indices of "underrepresentation" nor a statement of numerical "goals" concerning employment at NEH. As I said in my letter to Mr. Thomas, "the Justice Department has recently taken position that EEOC exceeds its authority by seeking such information." Section 717 of the Civil Rights Act of 1964 does not confer upon EEOC the authority to require such information, according to DOJ.

Q. NEH was one of four agencies, of the 110 that were asked, that FAILED TO SUBMIT A PLAN. While submission of a plan is required by law, you apparently believe that your personal views may supersede your statutory obligations. Is this true? Will you comply with the statutory requirement as Secretary of Education, if confirmed?

A. I am and always have been firmly committed to the rule of law. If confirmed as Secretary of Education, I will comply with all laws, regulations, and statutory requirements, as I have in the past.

Q. Do you believe that the head of a Federal Agency has the option of abiding by or enforcing/executing those laws he/she may agree with, and not abiding by or enforcing/executing those laws he/she does not like.

NOTE THE FOLLOWING QUOTE FROM DR. ARTHUR S. FLEMMING (former HEW Secretary under Eisenhower and Civil Rights Commission Chair under Nixon, Carter and Reagan:

> He (the head of a Federal Agency) does not have the option under our system of government of refusing to obey the law. He must obey it until he can either persuade the Equal Employment Opportunity Commission has exceeded its authority, or until he can persuade the Congress to change the law.

A. The head of a Federal agency must abide by, enforce, and execute all the laws, and if confirmed as Secretary of Education I will faithfully do so.

MINORITY AND FEMALE EMPLOYMENT
AT THE NATIONAL ENDOWMENT

Q. Provide the grade level and salary of the highest ranking Black, female, and Hispanic employee at the Endowment.

A. The grade level and salary for the highest ranking Black employee at NEH is GM-14, $54,079 pa.

The grade level and salary for the highest ranking female employee at NEH is GM-15, $64,953 pa.

The grade level and salary for the highest ranking Hispanic employee at NEH is GM-15, $59,945 pa.

Q. Please provide a chart, as of December 31, 1984, showing all NEH employees by grade, cross-referenced by sex and race or national origin, and handicapped status. This chart should also indicate whether or not these employees are career or political appointees.

A. The chart appears on the following page.

Q. Please explain, to the best of your knowledge, the circumstances surrounding the departures from NEH of James Early.

A. Mr. James Early accepted a position with the Smithsonian Institution and reported to that position on 2/19/84 without a break in service from NEH.

FULL-TIME AND PART-TIME PERMANENT NEH EMPLOYEES
BY GRADE LEVEL AS OF December 31, 1984

GRADE LEVEL	WHITE		BLACK		HISPANIC		ASIAN AMER PAC. IS.		AMER. IND. ALAS. NATIVE		HANDI-CAP	POL. APPT.
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female		
SES	5	-	-	-	-	-	-	-	-	-	-	1
GS/GM												
15	10	4	-	-	1	-	-	-	-	-	-	1
14	13	2	-	2	-	-	-	-	-	-	-	1
13	18	9	-	1	-	-	-	2	-	-	1	-
12	10	15	1	-	-	-	-	1	-	-	1	1
11	7	21	1	2	-	-	-	-	-	-	-	1
10	-	-	-	1	-	-	-		-	-	-	-
09	1	10	2	7	-	-	-	-	-	-	-	1
08	-	-	-	5	-	-	-	-	-	-	-	-
07	3	15	1	10	-	-	-	-	-	-	1	-
06	-	13	1	13	-	-	-	-	-	-	1	-
05	1	14	3	11	-	1	-	1	-	-	2	-
04	-	8	1	2	-	-	-	1	-	-	-	-
03	-	-	-	4	-	-	-	-	-	-	-	-
02	-	1	-	-	-	-	-	-	-	-	-	-
01	-	-	-	-	-	-	-	-	-	-	-	-
WG 06	-	-	1	-	-	-	-	-	-	-	-	-

ADMINISTRATION OF DEPARTMENT PROGRAMS

Q. In your book "Counting By Race" you make the statement "Policies like affirmative action are not reverse racism or reverse sexism. They are racism and sexism, pure and simple." The Department of Education administers many programs that are race specific or are purposefully focused on target populations made up largely of minorities and women. How will you square your misgivings about affirmative action with your sworn constitutional duty to administer these race-specific, gender-specific, compensatory education programs?

A. My misgivings about affirmative action as outlined in "Counting By Race" are based on the principle that no person ought to receive preferential treatment in hiring on account of race, gender, or other irrelevant criteria. The Department of Education's compensatory education programs, however, are based on a very different premise: that no student should be denied the opportunity to receive a quality education because of race, gender, physical handicap, English proficiency, or other circumstance of extreme hardship. Federal programs that assist State and local jurisdictions in providing such opportunities are necessary and appropriate, and I support their continuation.

Q. Do you believe that there is a separation between your personal views and your views and responsibilities as the Chairman of NEH or the Secretary of Education?

A. The context of this question is apparently my opposition to race and gender-based quotas for hiring. I believe that such policies constitute unfair discrimination and they are wrong. I do, however, strongly favor policies of affirmative action that seek to make employment opportunities as widely known and available as possible. As Chairman of the National Endowment for the Humanities, I have insisted that this be done. As a result, the agency's record of hiring minorities and women is excellent. At the Department of Education, I intend to pursue a policy of fairness and equal opportunity as parts of a strong affirmative action program. I will also seek full and vigorous enforcement of all laws within the Department's jurisdiction.

QUESTIONS REGARDING THE FEDERAL ROLE IN
EDUCATION AND CIVIL RIGHTS ENFORCEMENT

Q. The Federal Government's historic role in education can be traced from the first Morrill Act in 1862, establishing the Land Grant Colleges throughout the Nation, continuing through the Veterans Education Assistance programs (G.I. Bill). That role has grown and the dollars committed have increased as the Federal Government has carved out its "equal opportunity" or quality and equity role at the elementary and secondary level, and its "access" and "choice" mission in higher education. What is your view of the role of the Federal Government in education?

A. My view as to the role of the Federal Government in education is set forth in my written opening statement before this Committee on January 28, 1985. Briefly, I believe that primary responsibility for education rests with state and local authorities, private institutions, teachers, parents and students, rather than with the Federal Government. At the same time, I believe that the Federal Government has an appropriate role. It clearly has an opportunity to identify major problems in our schools and to articulate national goals in education. Through its capacity to support research and the dissemination of information, the Federal Government can be a source of reliable information on the current state of education. Finally, I believe it is appropriate for the Federal government to provide financial assistance to state and local authorities to address inequities in our society and ensure that all students, whatever their personal characteristics or backgrounds, have the opportunity to participate fully in our society.

Q. You have gathered information on what books all high school graduates should read AND strongly suggested curriculum changes in secondary schools and in colleges and universities. Do you foresee a role for the Department of Education in this area?

A. I believe that where appropriate, the Federal Government should exercise its moral authority to identify existing shortcomings in our educational system and to suggest ways in which instruction in the schools can be improved. Creation of the National Commission on Excellence in Education, for example, resulted in the publication of A Nation at Risk, a report which has had a tremendously salutary impact on the discussion of education in this country.

I do not believe, however, that the Federal Government should be involved in dictating the content of any school curriculum. Final decisions on these matters properly rest with, as appropriate, America's colleges and universities, state and local authorities, teachers, parents and students.

Q. Since 1965, the Federal Government has substantially expanded its limited role in education -- authorizing aid for disadvantaged youngsters in elementary and junior high school, special education programs for the handicapped, bilingual education for limited English-speaking children, vacational and adult education for those who seek career training or those who seek to overcome illiteracy or receive a high school equivalency certificate, and assistance for low and middle income students who need help in order to pursue a college degree or training -- do you believe that it is appropriate for the Federal government to spend $17 billion on education? FOLLOW UP QUESTION: You have been quoted as saying: "Bombers cost more than yellow pads". While that is obviously true, is that statement actually what you said? and does it represent an accurate reflection of your views as to the priority the Nation should attach to expenditures in education?

A. While the role of the Federal government in providing financial support to all of American education is a relatively limited one, the present commitments of the Federal Government for the programs specified above are clearly substantial. Under President Reagan, the Administration has sought smaller appropriations for these and other programs than Congress has seen fit to appropriate. Where Congress has appropriated a specified amount for various programs, however, and the President has signed such legislation, I would be committed to ensuring that such funds are spent responsibly.

My point in observing that bombers cost more than yellow pads was to suggest that the relative importance of defense and education to our society can't be measured by comparing the amounts the Federal Government spends on each. Of course, providing for the common defense is and must be the first priority of any responsible government. Furthermore, current defense technology is extremely expensive, even as compared to today's educational costs. Finally, the value of any educational program cannot be measured primarily by reference to the expenditures involved.

Q. In your Family Forum speech "Educational Reform" you said "...you cannot spend your way to excellence." Is it your view that education is a cheap commodity and that we can meet today's educational needs with yesterday's ideas and dollars?

A. We have seen in the last two decades in America that educational expenditures, especially at the Federal level, have grown enormously, at the same time that we have experienced an inexorable decline in educational standards. Clearly this period has taught that we cannot spend our way to excellence. Although I would never say and have never said that education is a "cheap commodity", in my view a successful education is predicated far more on sound educational principles (which we have known for many years) than on the amount of dollars spent.

Q. If you are confirmed as the Secretary of Education, you will take a Constitutional oath to uphold the Constitution and the laws passed by Congress. Part of your responsibilities as Secretary will be to enforce the Civil Rights Act of 1964 (Title VI), Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and The Age Discrimination Act of 1975. You have on several occasions in the past expressed misgivings about both the effectiveness of some of these laws, as well as, the tools and techniques that have been used over the years to implement the statutory command to end discrimination in Federally assisted programs and discrimination in employment. Will you faithfully execute your sworn duty to enforce these laws, if confirmed, regardless of whether or not you agree with the law or policy set forth by the Congress or the courts?

A. In the event I am confirmed, I have every intention of ensuring full enforcement of all of the laws within my jurisdiction. This would be my sworn duty and I would have every intention of fulfilling it. In my view, where a law or policy set forth by the Congress or the courts seems misguided or unjust, we should work within the law and the legislative and judicial processes to correct that law or policy.

QUESTION

What is your view of the performance of the Assistant Secretary for Postsecondary Education under former Secretary Bell, given the intense criticism of the previous Assistant Secretary and the upcoming reauthorization of the Higher Education Act?

ANSWER

I am not in a position to evaluate the performance of specific assistant secretaries over the last four years at the Department of Education. However, I certainly intend to do such a review as part of my overall examination of the Department and its operations.

QUESTION

"Mandate II" recommends elimination of the Bilingual Education and the Education for the Handicapped programs. Do you support those recommendations and, if so, why?

ANSWER

No, I do not. Both programs address population groups that need specific assistance.

QUESTION

That report also recommends transferring the enforcement responsibilities with respect to Title VI of the Civil Rights Act of 1964, Sections 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975 to the Department of Justice --do you support that recommendation or would you urge retention of the enforcement responsibility in the Deparment of Education? If yes on support for transfer, WHY?

ANSWER

I am inclined to support retention in the Department of Education in view of how much of our activities deal with equal opportunity.

QUESTION

Recently, the Secretary's Denver Regional Representative sent a mailing to a large number of people using the Department of Education's franking privilege to transmit through the mail speeches which advocate the reestablishment of a "christian nation". Do you think that this kind of material should be mailed at the taxpayers expense? As Secretary, would you discipline an employee who acted in this way?

ANSWER

This issue was covered at some length during the January 28 hearing. Although this type of action appears to be inappropriate, I would appreciate the opportunity to review this case further before deciding on appropriate disciplinary action, if required.

QUESTION

Do you believe the Department of Education should be abolished? If so, what type of administrative agency would you recommend in its place?

ANSWER

I believe I have carefully explained my position on the future of the Department of the Education in my oral testimony

Q: What action will you take to not only ensure that there are a sufficient number of special education teachers, but ensure that the quality of their training is commensurate with the needs of their students?

A: I am very concerned about the quality of all of our teachers and believe we face a national crisis in teacher education. I am interested in looking at alternative approaches to teacher training, as well as models designed to attract and retain excellent teachers. The question of what the Federal Government can do to help meet the demand for teachers qualified to deal with the special education needs of handicapped children is one of the issues I will want to examine more closely in this context.

Q: For the past several years the Federal share of the cost of educating handicapped children under the Education of All Handicapped Children Act, P.L. 94-142, has been about 8 and 1/2 percent. If the number of handicapped children being educated in this program increases, will it be your position that the Federal share should increase as well?

A: I support the Administration's policy of continued support for the education of handicapped children. This policy could involve an increase in Federal assistance provided to the States depending on the projected changes in the number of handicapped children and the costs of serving these children.

Q: The Federal government has spent a sizeable amount of money studying the issue of early childhood education for handicapped children, and its efficacy is now virtually undisputed. Would you support lowering the age mandate under P.L. 94-142 to allow all handicapped chidren to overcome their handicaps at the earliest possible opportunity? (Six States now mandate service to ages 0-6).

A: My understanding is that expanding services to very young handicapped children has been one of Mrs. Will's highest priorities in administering our special education programs. I further understand that we have had some success in terms of increasing the numbers of agencies participating in the preschool grants program and the number of infants birth through two receiving special education and related services. I do not have a position on the question you pose with respect to lowering the age mandate under P.L. 94-142. However, I look forward to consultations with the Assistant Secretary for Special Education regarding this question and others relating to improving services to handicapped children.

SECULAR HUMANISM

Q. As you know, the Department of Education has recently published regulations implementing the Hatch Amendment prohibiting the teaching of "secular humanism" in any school receiving desegregation funds under a law passed during the last Congress. What is "secular humanism"? Do you believe that the Department's regulations should contain a definition of the term so that local school officials will know what is prohibited under the law?

A. I understand that the Hatch Amendment itself did not provide a definition of "secular humanism". Furthermore, I understand that the intent of Congress was that the Department of Education in its regulations issued under the applicable statute should not attempt to provide a definition of the term. As Congress apparently intended for individual school districts to interpret this concept in accordance with the understanding of the local community, I do not believe it would be appropriate for the Department to provide any particular definition.

Q. Paul Salmon, Executive Director of the American Association of School Administrators has said "...the Department made the right judgment in allowing local school districts to define secular humanism." Do you agree? What if the result is 17,000 different definitions? What would be your definition of "secular humanism?

A. As noted above, the Department has deferred to apparent legislative intent that responsibility for defining secular humanism be left to local school districts. I think this is appropriate. In the event that this results in "17,000 different definitions of secular humanism", then Congress may wish to reexamine this statutory requirement to determine whether more precise guidance should be provided. For the reasons stated in response to the previous question, I do not believe it would be appropriate for me to offer any personal definition of secular humanism.

Q. In a letter to the Washington Post, which was published on January 19, 1984, one writer suggested that "secular humanism" was "...a recognized religion taught in the public schools, are atheism (there is no God), evolution (the world just happened, and man came from apes), amorality (there are no absolutes, so do you own thing), and collectivism (share the wealth - the one world theory)." Would you agree that this definition should be adopted by a school district?

A. See answers to the above. I would expect that America's school boards would seek to discharge the responsibility imparted to them by this statute in an intelligent and serious manner.

MARK O. HATFIELD, OREG., CHAIRMAN

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United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C. 20510

January 25, 1985

The Honorable Orrin G. Hatch
Chairman
Committee on Labor and Human Resources
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

I respectfully request the following questions be submitted to Mr. William J. Bennett relative to the Committee's consideration of his nomination to be Secretary of Education.

1. Would you please summarize your priorities for the Department of Education for the next four years and, if possible, outline the steps you intend to take to achieve your goals.

2. In your view, what should be the role of the state in improving the quality of classroom instruction in our nation's schools?

3. What are your views on bilingual education and would you support continuation of the program?

4. What are your views on vocational education and technical porgrams in relation to economic development in our country?

5. Would you support continuation of vocational education programs at the secondary level?

6. Would you develop and implement an equal employment opportunity plan, as required by Section 717, Title 7, of the Civil Rights Act of 1964? If not, why not?

7. Please state your views on the elimination or continuation of the Department of Education as a separate Cabinet-level entity.

8. What are your views on impact aid and would you support continued funding of this program?

Thank you for your assistance and cooperation in this matter.

Sincerely,

Dennis DeConcini

DENNIS DeCONCINI
United States Senator

DDC/lcm

Senator DeConcini:

Q: Would you please summarize your priorities for the Department of Education for the next four years and, if possible, outline the steps you intend to take to achieve your goals?

A: There are at least six priorities which I propose to emphasize as Secretary of Education. They are:

1) Promoting Excellence -- I propose to continue the national leadership initiated by the release of the Report of the National Commission on Education.

I intend to speak out, as appropriate, in the areas addressed by the Commission. These include curriculum content, standards and expectations, the time devoted to learning, improving the teaching profession, and the responsibilities for leadership and fiscal support by elected officials and educators.

As the Report indicated, promoting excellence includes a continuing Federal responsibility for aiding the educationally disadvantaged and handicapped as well as focusing renewed attention on educational reform. It also includes improving school discipline.

2) Expanding State and Local Control -- I propose to continue this Administration's efforts to place as much responsibility as possible for the administration of Federal programs at the State and local level.

The Chapter II Block Grant--which was one of the major accomplishments of the President's first term--consolidated 42 categorical elementary and secondary education programs into one block grant, allowing State and local officials to decide program priorities.

I would like to see further efforts toward increasing the discretion of State and local officials.

3) Increasing Parental Choice -- I expect to push hard for enactment of tuition tax credits and educational vouchers: measures designed to increase the choices of American families.

Tuition tax credits would provide tax equity for working families who now have a double burden to support both public and private school costs.

Chapter I vouchers would permit parents of educationally disadvantaged children to use vouchers to send their children to whatever school provides the best compensatory education program.

4) Encouraging Parental Responsibility -- I believe parents need to continue to assume the primary responsibility for financing their children's postsecondary education. This is an area in which the Federal Government is increasingly displacing the role of the parents.

In this regard, I support Administration efforts to require parents to assume a greater share of college costs before Federal grant aid can be awarded, to curb the abuse of the definition of the "independent student" in the awarding of Federal student aid, and to encourage parents to save for the cost of a college education for their children through the enactment of Education Savings Account legislation.

5) Requiring Student Self-Help -- I believe that, in addition to the responsibility of the parent, the student should assume a greater share of college costs.

Although, today, many students do work and borrow to help finance their postecondary education, too many students rely on the Federal government to help finance education, of which they are the principal beneficiary.

6) Improving Federal Stewardship -- I believe the Federal education establishment itself should be as efficient and accountable as possible.

During the President's first term, much progress was made. The Department's employment was reduced by 32 percent--the largest reduction of any Federal agency.

There were major reductions in regulatory burden and paperwork; collections of loans increased dramatically; and the Department was well on its way toward complying with most of the recommendations of the Grace Commission.

I propose to continue these management initiatives and, in addition, to examine ways to restructure and/or streamline the organization of the Department.

There are, of course, other areas of special concern, including reducing adult illiteracy, promoting Federal-private sector initiatives, and publishing comparisions of State educational expenditures and SAT - ACT scores. This list is not meant to be exhaustive, but rather suggestive of the Department's principal priorities as I see them at this time.

Q: Please state your views on the elimination or continuation of the Department of Education as a separate cabinet level entity?

A: I have been asked by the President to review the programs and management of the Department and to report back to him with my recommendations. I have not been aked to "gut" the Department nor to present a plan for dismantlement.

Due to the various perspectives on the Federal, versus the State and local roles, I intend to obtain input from critical groups such as Congress, the educational community, senior officials within the Department and the Administration, and the general public on what my recommendations should be.

I do hope to move on a fast track on this difficult, but most challenging assignment. In addition let me make clear that I have no intention of debating the future of the Department of Education for the next four years. There are more important items on the education agenda.

Q: In your view, what should be the role of a state in improving the quality of classroom instruction in our nation's schools?

A: In recent years, the States have begun to assert increasing influence over what goes on in elementary and secondary schools. Faced with an education crisis of alarming proportions, characterized in part by uneven school performance within States, State governments have responded by taking on a new leadership role in two areas--school finance and school quality. In my view, this assumption of leadership is a welcome one that will further the goal of educational excellence in this country.

In a major historical shift, States have become the principal source of revenues for public schools, increasing their share from about 38 percent in 1971 to an estimated 49 percent in the past school year. In 19 States, the State share of non-Federal revenues for schools exceeds 60 percent.

These financial reforms have been accompanied in the past three years by hundreds of new State laws designed to improve the quality of the schools. More than 40 States have increased the number of academic courses required for graduation, upgraded curriculum standards, raised teacher certification standards, or instituted new teacher training programs.

States, after all, have the constitutional responsibility for education. I believe this new role is both vital and proper.

Q: What are your views on bilingual education and would you support continuation of the program?

A: I agree with the statement of Congress in the Education Amendments of 1984 that the "Federal Government has an obligation to assist language minority students to acquire the English language proficiency that will enable them to become full and productive members of society." However, I believe that local educational agencies have the primary responsibility to provide these services and that the appropriate Federal role is to assist the LEAs in building their capacity to carry out this responsibility. Local officials are in a far better position than the Federal government to understand the needs of local children and to design programs in response to those needs. I therefore welcome the change in the new bilingual statute which authorizes alternative instructional programs, since it provides additional discretion to local schools in selecting an appropriate educational method. While I believe that the program should be continued, I expect that additional improvements can be made to implement more effectively the goals recognized by the Congress in the Education Amendments of 1984.

Q: Would you develop and implement an equal employment opportunity plan, as required by Section 717, Title VII of the Civil Rights Act of 1964? If not, why not?

A: I understand that the Department of Education recently transmitted to the Equal Employment Opportunity Commission its fiscal year 1984 Accomplishment Report on its Affirmative Action (Equal Employment Opportunity) Program for Minorities and Women and an Annual Affirmative Action Plan Update for fiscal year 1985. Therefore, no further action is required by me at this time.

However, as I have previously stated, I support a color-blind approach to civil rights rather than color-conscious affirmative action, and I will not endorse numerical goals for the hiring of women or other minorities at the Department. At the same time, I will work to ensure that the Department does not favor nor slight anyone because of race, color, national origin, religion, or gender.

Q: Would you support continuation of vocational programs at the secondary level?

A: The most important recent development in secondary education is the movement to enhance academic requirements for high school graduation. The National Commission on Excellence in Education recommended that every high school student be required to take four years of English, three years of mathematics, three years of science, three years of social studies, and one-half year of computer science. Other commissions have made similar recommendations, and many States are now starting to implement them. While I strongly support this trend, I also believe that it is appropriate for the secondary schools to maintain curricular offerings in vocational education. Students who intend to go directly from high school to the labor market, as well as others who want an introduction to the practical arts and the world of work, will continue to want to enroll in these courses. They can be a useful complement to the academic curriculum.

I do not believe that vocational education should be considered s substitute for academic education in secondary school. If we were to allow students to substitute vocational courses for academic requirements, we would, in effect, be countenancing the operation of separate tracks with different standards. Students in the two tracks might tend to cluster on a racial or social class basis, and we would be sacrificing some of the integrating function of the schools. In addition, for a portion of our students, we would forego the opportunity to transmit the most important concepts of our common culture and the most important ideas of Western man, another one of the most important functions of our schools. So I think we would be taking a considerable risk if we allow substitution of auto shop for English or of home economics for history.

But decisions about the proper balance of vocational and academic course offerings will have to be made at the State and local levels, without interference from Washington. For my own part, I support vocational education as a valid component of the secondary school curriculum.

Q: What are your views on vocational education and technical education in relation to economic development in our country?

A: I believe it was an American philosopher who said that a man must not only be good but good for something. It is important that we prepare our children not only for a thoughtful life but also for a practical one. In the Department of Education, the mechanism for achieving this goal is the vocational education program. Vocational education serves people of all ages, from secondary school students to adults nearing the end of their working lives, who need to develop practical skills in order to succeed in the job market. Vocational education can also assist in improving productivity and promoting economic growth. Employers across the country are turning to vocational schools to teach students new skills, to upgrade the skills of their employees, and to provide the training needed to accompany the introduction of new technologies.

In all, I believe that vocational education has an important role to play in economic development. Yet I do not believe that this will require increased Federal investment or interference in the vocational education system. Experience has shown that programs aimed at economic development needs are most effective when implemented as a result of joint employer-education cooperation at the local level. State agencies have also taken a part in steering employers to appropriate educational institutions or in launching educational initiatives which support State economic plans. The most appropriate Federal role is to identify effective program models, disseminate information on effective practices, and encourage greater cooperation between vocational education and the private sector.

Q. What are your views on Impact Aid and would you support continued funding for this program?

A: I am just now becoming familiar with the program. I support the Administration's overall policy of making payments only to those school districts for which Federal activities represent a genuine burden. I do not believe it is healthy for the Federal Government to continue the self-generating financial dependency of many school districts on this program that has been created through historical inertia.

ADDITIONAL STATEMENTS

COUNCIL FOR AMERICAN PRIVATE EDUCATION
1625 Eye Street, N.W., Washington, D.C. 20006

(202) 659-0016
Robert L. Smith
Executive Director

February 1, 1985

Senator Orrin Hatch
Chairman
Committee on Labor and Human Resources
U.S. Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On behalf of the Council for American Private Education which, through its fifteen member associations, represents over 80% of the nation's private schools, may I express our warm support for the nomination of Dr. William Bennett as Secretary of Education. We applaud his strong support for humanities education in secondary schools, his emphasis on strengthening the core academic subjects at all levels and, last but by all means not least, his knowledge about and concern for private schools and their contribution to the public good.

We think his insistence on the centrality of the humanities as the core of learning at all levels presages priorities which can only strengthen American education. Thus we feel that not only private education but all of education will have a strong ally in William Bennett and we urge his speedy confirmation.

Respectfully yours,

Robert L. Smith
Executive Director

Members: The American Lutheran Church • American Montessori Society • The Association of Evangelical Lutheran Churches • Association of Military Colleges and Schools of the U.S. • Christian Schools International • Friends Council on Education • Lutheran Church — Missouri Synod • National Association of Episcopal Schools • National Association of Independent Schools • National Association of Private Schools for Exceptional Children • National Catholic Educational Association • National Society for Hebrew Day Schools • Seventh-day Adventist Board of Education, K-12 • Solomon Schechter Day School Association • U.S. Catholic Conference. Associated state organizations in Arizona, California, Connecticut, District of Columbia, Florida, Georgia, Indiana, Kansas, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, Oregon, Puerto Rico, Rhode Island, Tennessee, Texas, Virginia, Washington, and Wisconsin

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President
Craig Kirby

Executive Director
James B. Newton III

January 30, 1985

Senator Orrin Hatch
Senate Labor and Human Resources Committee
U.S. Senate Office Building
Washington, D.C. 20510

Dear Senator Hatch,

The American Student Association wishes to express full support for the nomination of William Bennett to become Secretary of Education.

Mr. Bennett's commitment to the humanities, devotion to excellence in higher education, years of experience in the education community and even-handed manner of dealing with all parties provides us considerable confidence in his ability to excellently discharge the duties of Secretary of Education.

We have no doubt that the interests of America's college and university students will be well served by Mr. Bennett. As a national voice for students ASA is pleased to support and urge Mr. Bennett's confirmation by your committee and the full Senate.

Sincerely,

James B. Newton, III
Executive Director

JBN:dw
Admin. Offices

CALIFORNIA STATE DEPARTMENT OF EDUCATION
721 Capitol Mall
Sacramento, CA 95814

Bill Honig
Superintendent
of Public Instruction

January 28, 1985

Senator Orrin G. Hatch, Chairman
Committee on Labor & Human Resources
135 Senate Russell Building
United States Senate
Washington, D.C. 20510

Dear Senator Hatch:

As the Senate Labor & Human Resources Committee today considers the nomination of William J. Bennett for the Cabinet post of Secretary of Education, I write to express my support.

As Chairman of the National Endowment for the Humanities, Mr. Bennett has been very sensitive to the many components of the education reform movement. His education philosophy encompasses a broad view of education, emphasizing a core curriculum including basic skills, literature, humanities, as well as mathematics and science. I share his belief that an increase in enrollment in all of these areas, not just limited to math and science, is critical to a well-rounded education for all children. Such direction is also key to the success of the education reform initiatives in California and throughout the Nation.

Mr. Bennett is a well-qualified candidate for Secretary of Education, and I urge his rapid approval by the Labor & Human Resources Committee and confirmation by the Senate.

Best regards,

Bill Honig

Bill Honig

cc: Senator Alan Cranston
Senator Pete Wilson

People For The American Way

STATEMENT FOR THE RECORD
BY
PEOPLE FOR THE AMERICAN WAY

BEFORE THE
SENATE LABOR AND HUMAN RESOURCES COMMITTEE

CONFIRMATION HEARINGS
ON
WILLIAM BENNETT'S NOMINATION
AS
SECRETARY OF EDUCATION

JANUARY 28, 1985

1424 16th St., N.W. • Suite 601 • Washington, D.C. 20036 • Telephone 202-462-4777
A Project of Citizens for Constitutional Concerns, Inc.

PEOPLE FOR THE AMERICAN WAY is a 150,000-member national, nonpartisan citizens organization working to protect and promote constitutional liberties.

PEOPLE FOR believes that a high-quality system of public education is essential for a democratic society, both to produce an informed citizenry and to provide equal opportunities for all.

As firm believers in the freedoms guaranteed by the Constitution, we vigorously defend students' rights to learn and teachers' rights to teach. These rights have come under attacks from religious and political extremists who want to remake the public schools into centers of indoctrination for their own narrow viewpoints -- or who oppose the entire concept of public education.

Pre-nomination Screening by Political and Religious Extremists

PEOPLE FOR neither endorses nor opposes the nomination of William Bennett as Secretary of Education. We do urge that the confirmation hearings be comprehensive and deliberate, rather than a mere formality. These hearings should be a forum for exploring Mr. Bennett's views on several crucial issues raised by the process that led to his nomination, as well as on the entire future of the Department of Education and the public education system.

Our foremost concern is that, for the first time in history, a cabinet nominee has been subjected to an extra-constitutional screening process conducted by political and religious extremists.

As reported in The Washington Post on November 17, Mr. Bennett was screened by representatives of a dozen Far Right organizations at the offices of the Committee for the Survival of a Free Congress. We understand that the White House arranged this meeting.

PEOPLE FOR joins former Secretary of Education Terrel Bell in expressing dismay at this unprecedented screening process. We urge this Committee to investigate thoroughly what questions were asked of -- and what promises, if any, were made by -- Mr. Bennett and other participants in this screening interview. The American people have the right to know whether the nominee for Secretary of Education has made commitments to extremists who oppose the existence of the Department, question the very concept of public education, favor the censorship of textbooks, and may be seeking appointments, grants, consulting contracts, and policy changes.

Clarification of Mr. Bennett's Views

The confirmation hearings should provide Mr. Bennett with the opportunity to clarify his own views on the issues raised by the religious and political extremists who have subjected him to repeated ideological litmus tests.

In his excellent report, To Reclaim a Legacy, and in his speeches and articles Mr. Bennett has declared that the schools should assign students the great classics of Western civilization -- a viewpoint with which PEOPLE FOR heartily concurs.

Tragically, as a result of textbook censorship, great literary classics, including the works of Shakespeare, have been bowdlerized, the theory of evolution has been purged from biology texts, and history texts have ignored such "controversial" issues as labor unions, civil rights, and women's rights.

Mr. Bennett should have the opportunity to comment on censorship in the classroom. We are confident that the man who called for an increased emphasis on the classics -- and correctly defined the Rev. Martin Luther King's "Letter from Birmingham Jail" as a classic -- does not condone censorship of the great works of literature and political theory.

Disturbing Developments in the Department of Education

Even under a Secretary of the caliber of Terrel Bell, religious and political extremists have attained an undue influence.

In April 1981, a concerned parent called the Department of Education to request information about textbook content. Deputy Assistant Secretary for Legislation George Archibald referred the caller to Mel and Norma Gabler of Texas, the nation's leading advocates of textbook censorship.

In September, 1983, another caller was referred by a Special Assistant to the Deputy Under Secretary for Planning, Budget and Evaluation to Phyllis Schlafly of the Eagle Forum for information about "school room politicization."

Recently, Thomas G. Tancredo, the Department of Education's Region VIII Representative in Denver, distributed at government expense a statement which declared that "godlessness has taken over America" and praised private religious schools as an alternative to the public schools. The speech was written five years ago by the then-executive director of the Moral Mojority, Robert Billings. Today Mr. Billings is the director of the Department of Education's ten regional offices.

Mr. Bennett should be asked to comment on these developments in the Department of Education.

The Hoax of "Secular Humanism"

Finally, we urge that Mr. Bennett be asked whether he believes that a purported philosophy/movement/religion called "secular humanism" must be expunged from public school curricula.

Propounded by the Religious Right, the hoax of "secular humanism" has been enacted into law, with the Education for Economic Security Act of 1984, which prohibits the use of federal Magnet School funds for "courses of instruction the substance of which is secular humanism." This law leaves the phrase "secular humanism" undefined, creating a difficult issue for the Department of Education and local school boards.

Since this issue will plague the Department of Education and the entire public school system, Mr. Bennett should be asked to comment on it.

Comprehensive and Deliberate Hearings

The next Secretary of Education will serve the nation during a time of unprecedented uncertainty and anxiety over the future of the public schools. Mr. Bennett, the Department of Education, and the nation's parents, teachers, and students can only benefit from a comprehensive and deliberate hearing process that will allow an exploration of Mr. Bennett's views.

League of
United Latin
American Citizens

Office of National President
MARIO G. OBLEDO

STATEMENT OF ARNOLDO S. TORRES, NATIONAL EXECUTIVE DIRECTOR

LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC)

Submitted to the Senate Committee on Labor and Human Resources

on the Nomination of William J. Bennett to the Post of Secretary of Education

Monday, January 28, 1985

The League of United Latin American Citizens (LULAC), this nation's oldest and largest Hispanic membership organization welcomes the opportunity to submit for the record our views on the nomination of Mr. William J. Bennett to the post of Secretary of Education.

In the past, LULAC has testified specifically on behalf of our 100,000 members and generally on Hispanic concerns nationwide. Because federal educational policy and direction critically affect our children and youth, it is important that we voice our concerns. We are very concerned that this hearing is a closed one and wonder if it represents a partisan attempt to forestall debate on Mr. Bennett's nomination. LULAC urges that the American principle of free speech and spirited debate be upheld at congressional hearings — we have a stake in the outcome of these hearings and emphatically protest that partisan politics have no place in any policy which will ultimately affect Hispanic-Americans and other underrepresented minorities. We vigorously defend our right to make our concerns known and are disturbed by the secretive nature of these proceedings.

At the present time, LULAC is not taking a position of opposition or support for Mr. Bennett. We are indeed impressed with his academic scholarship and his commitment to quality education. Yet we also have some questions about the impact his policies will have on Hispanic-Americans. We are still assessing how his contribution and direction will affect minority interests. Nevertheless, we have a vital interest in making known minority concerns in the field of education.

Currently, we face a growing crisis: Hispanics have fewer years of schooling than blacks or whites, and our dropout rates are higher than either blacks or whites. For example, recent data indicate that some 40 percent of 20 to 24 year-old Mexican-Americans and about 50 percent of mainland Puerto Ricans did not graduate from high school. More importantly, the significance of this problem may increase with time: the Hispanic population in the United States is relatively young and growing rapidly. Fifty percent is under the age of 22 and Hispanic youth comprise approximately 7.7 percent of all 15 to 19 year-olds. Projections of the present preschool population indicate that by the 1990's, they will represent about 10 percent of the 15-19 year-old group.

We would like to begin by addressing a number of concerns we have in the field of education. We present for your information and perusal the findings and recommendations of an important report recently issued by the Hispanic Policy Development Project, entitled "Make Something Happen": Hispanics and Urban School Reform (National Commission on Secondary Education for Hispanics, Vol. I & II, 1984). Many of the conclusions of this study are also shared by LULAC, and we have taken the liberty of including the more important findings.

The report found that although the majority of Hispanics enter high school with educational and career aspirations as high as any other group in our society,

40 percent of all Hispanic students who leave school do so before reaching the 10th grade, and 25 percent of Hispanics who enter high school are overage.

This alarmingly high rate is more than double that for blacks and three times that of whites. And, as the report states, "as the general population ages, Hispanics will become the majority of the school population in many cities [Hispanics are the most highly urbanized population in the United States] and a rising percentage of the population in many other parts of the nation." This means that by the year 2000, Hispanics will pass blacks and Asians as the nation's largest minority group and will be in the majority in some areas of the country.

Is Mr. Bennett aware of the increasing drop-out trend among Hispanic youth, and what measures would he suggest be taken to resolve this problem?

Furthermore, the report found that over two-thirds of all Hispanics attend schools with student bodies that are more than 50 percent minority, and that the schools Hispanics attend are usually overcrowded, or poorly equipped or have lower, per-pupil budgets than other schools in adjacent areas.

With respect to budgetary allocations for primary and secondary education, will Mr. Bennett use his influence to advocate on behalf of urban minority students, and for the improvement in both the quality of school facilities and the ability of those schools to increase their per-pupil budgets?

The report further cited that:

> "The effectiveness of schools is improved when schools, parents, and students work together to define needs and develop programs. This is particularly important when the school serves a significant number of troubled students and their families."

For example:

> § "Students cannot leave their life situations at the door when they enter their school buildings;

§ Hispanic students feel they could improve their academic performance if they had help in coping with the personal stress and family stress that arise from the poverty, violence, and isolation of inner-city life;
§ The most successful schools for Hispanics — across the country — are those that have strong, enduring links to the communities they serve."

As the reports suggests and, as we concur, will Mr. Bennett encourage schools to take the initiative to build networks and links to the communities they serve? Will he also encourage schools to coordinate their own programs with those offered by other agencies and/or institutions in the community?

"The curriculum crisis in American secondary schooling that affects all American youth is doubly severe for Hispanics."

For example:

§ "Seventy-six percent of the Hispanics who took the "High School and Beyond" achievement tests scored in the bottom half of the national test results;
§ In many schools academic expectations for Hispanic students are low;
§ Thirty-five percent of Hispanic students are in the vocational education tract. The majority of them are not in schools that provide state-of-the art training;
§ Forty percent of Hispanic students are in a general education track as opposed to a strong academic course of study;
§ Hispanic students report that their academic choices were made with little assistance from school counselors."

Will greater emphasis be placed on academic content and student achievement? Furthermore, will accreditation standards be changed to take into account actual student achievement, including drop-out rates? More importantly, will the status of Hispanic secondary education be monitored regularly by state departments of education? Will discriminatory tracking practices be eliminated? Will a core curriculum with clearly defined academic content be established for all students? Will excellence be a national goal and all students assisted to achieve steady

improvement in the core curriculum at their levels of competency? Finally, will emphasis be placed on the development of analytic skills and a broad understanding of cultural and historic circumstances?

The Hispanic Policy Development Project report also found that "work experience directly affects the performance and retention, higher education and career options, and employability of Hispanic students." It states:

> § "Part-time employment tends to keep students in school, to maintain or improve grades, and to introduce them to the world of real work and to career options;
> § Most successful work-study programs involve the business community;
> § Hispanic males are more likely than Anglo or Black males to hold full-time jobs while attending school. Forty-one percent of Hispanic males and 23 percent of Hispanic females leave high school for financial reasons;
> § Over 40 percent of all Hispanic students who leave school do so before entering high school;
> § Students who drop out of school must accept entry-level jobs with little security and few opportunities for advancement."

Will Mr. Bennett recognize the importance of linking work and school as early as junior high school? Will he encourage the business community and schools to work together in designing part-time and summer strategies which link school and work? The report recommends that local Private Industry Councils and other job training funders become involved in developing and funding work projects for in-school youth. Additionally, it recommends that youth legislation be considered which would subsidize jobs at minimum wage for youths who are still in school. Will the nominee work to see that community and business cooperate to help Hispanic youth in school?

Some educators and education policy makers have the mistaken impression that Hispanic-Americans, for psychological or sociological reasons, resist or at least have difficulty learning the English language. Contrary to this perception, the Hispanic Policy Development Project report found that Hispanics do in fact recognize

the importance of the English language. And in fact, a review by the U.S. Census Bureau of the 20 cities with the largest percentage of Hispanics shows that close to 80 percent of the Hispanic households speak some English at home (U.S. Census Report PC80-1B33).

> § "Hispanics recognize that English is the primary language of this nation;
> § Hispanic students and parents want to learn English;
> § Hispanic parents, like most other parents, feel that schools have not been effective in teaching sound English language skills;
> § Strategies designed to improve the English proficiency of students who already speak English differ from those designed to teach English to non-English speaking students."

Will Mr. Bennett work to ensure that English language programs are supported and funded so that they may more effectively teach English to Hispanics? LULAC agrees with the report in recommending the following solutions to this problem:

> § "Supplemental programs should be offered to improve the reading, writing and speaking skills of Hispanic students who are native English speakers;
> § Non-English speaking high school students should be offered a variety of programs so that they may benefit from subject content instruction while they acquire a command of English as rapidly as possible. These programs include:
>
> —Intensive English as a Second Language [ESL] classes;
> —Provision of core curriculum classes in Spanish if the number of non-English speaking students makes this option practical, or, at a minimum, provision of classroom materials in Spanish in conjuntion with Spanish speaking tutors;
> —Auditing of content classes taught in English;
>
> § Seventeen and 18 year-olds who arrive in the United States late in their junior or senior years should be permitted to take graduation examinations in their native language, as well as tests in English graded on the basis of how long they have been enrolled in English classes."

Finally, no discussion on the need to implement English language programs

can take place outside the context of the bi-lingual reality of nearly all Hispanic-Americans. Many Hispanic-Americans live in two worlds — that of modern-day American society and that of the cultural and linguistic heritage of their families. The report found that the Spanish language is not "fostered as a valuable resource for the Hispanic student, for our schools, and for our nation." It states:

> § "In many regions of the nation, Anglo and Hispanic political and business leaders testified that their banking, tourism, and service sectors need large numbers of employees who are literate in both Spanish and English;
> § In certain parts of the nation, Hispanics who are bi-literate can find higher paying jobs;
> § Only 4 percent of Hispanic high school students take three or more years of Spanish;
> § Schools' acceptance of the Spanish language would increase the Hispanic students' sense of self-respect and self-esteem. Strong self-esteem alleviates the pressure of culture clash and helps preserve and foster the Hispanic traditional family values."

In this vein, LULAC echoes the concerns of the report in posing the following questions. Will Mr. Bennett work to ensure that bi-lingual education programs, which help promote cultural awareness and self-esteem, are supported and funded? Will Hispanic students — and non-Hispanic students as well — not literate in Spanish be encouraged to take courses in the Spanish language? Will the methodologies for teaching Spanish be improved for both native speakers and non-native speakers? Finally, will schools be encouraged to recruit and train native Spanish-speaking teachers to help raise oral proficiency in the Spanish language? This concern is further underscored by the fact that the issue of bi-lingual education is the single most important issue uniting Hispanic Americans of all national origins, whether Mexican-American, Puerto Rican, or Cuban (See Attachment A: Hispanic Voting Survey results from the Southwest and Midwest Voter Registration and Education

Projects.)

In conclusion, we cite further the economic costs to school districts serving low-income students and especially those who do not speak English, due to federal cutbacks overall and reduced federal support for inner-city schools. Will Mr. Bennett work to ensure that the federal government maintain on-going support and involvement in the following programs which have significant impact on inner-city youth?:

- § "Creation of national longitudinal studies of junior and senior high school students so that educational performance can be tracked and analyzed;
- § Publication and dissemination of education data and analyses;
- § Resumption of separate funding for innovative school desegregation efforts;
- § Funding for programs (Upward Bound and other TRIO programs) that create opportunities for encouraging and assisting low-income high school students;
- § Renewal of the targeting of funds for vocational training programs and for limited-English-proficient students in the federal Vocational Education Act;
- § Funding for Title VII and appropriation of funds to assist secondary schools to improve their English and foreign language training."

MR. BENNETT'S POSITION ON AFFIRMATIVE ACTION

As of July 25, the National Endowment for the Humanities (NEH), of which Mr. Bennett was Chairman, had a total of 262 employees. Only three were Hispanic — one male at the GS-15 level, one female at the GS-12 level, and another female at the GS-5 level. LULAC is very concerned about the extreme underrepresentation of Hispanics at this important federal agency and wonders why a more active recruitment wasn't pursued.

As of October 1984, the Department of Education had a total of 4772 permanent employees. Of that total, there were 82 Hispanic males, approximately 1.7% percent, and 70 Hispanic females — a mere 1.4% of the total staff. Together,

these employees constitute only 3.1% of the permanent employees at the Department of Education. The U.S. Census Bureau estimated that in March 1983 there were approximately 15.9 million Hispanics in the United States. That is roughly 8.6% of the total U.S. population. If this is the case, and if Federal agencies strive to reflect their staffs' national ethnic and racial diversity, then Hispanics at the Department of Education are underrepresented.

Will Mr. Bennett be sensitive to the needs of minorities, particularly in light of his declared "absolutely sex-blind, race-blind hiring and firing policy"? And will he endeavor to hire more Hispanics to higher level positions when he becomes Secretary of Education?

LULAC is concerned that Mr. Bennett's stand on affirmative action will adversely affect Hispanics and other minorities, who have traditionally and systematically been underrepresented at all levels. The philosophy of affirmative action was created to resolve just this problem. It is a means to an end, not a permanent policy solution to racial and ethnic discrimination. As the report entitled Affirmative Action in the 1980's: Dismantling the Process of Discrimination (U.S. Commission on Civil Rights, Clearinghouse Publication #70, November 1981) states:

> "...Just as medical treatment is based on a diagnosis, affirmative action is based on the nature and extent of race, sex, and national origin discrimination. Affirmative action has no meaning outside the context of discrimination, the problem it was created to remedy."

Mr. Bennett stated in his testimony to the House Subcommittee on Government Activities and Transportation in July of last year, that he had violated no law in refusing to comply with statutory regulations requiring Federal agencies to file annual numerical goals for recruiting and hiring women and minorities. Rather, he felt he had simply refused to submit a response to what he deemed a "management

directive". He further stated that "... the EEOC wanted to us to state goals for employment; that is, how many people, of what race and sex we anticipated hiring for what particular position or grade category. We found that not only offensive to our sense of non-discrimination but we also found it a violation of law".

Nevertheless, as the report on affirmation action points out, and as Mr. Bennett should be aware, the process of discrimination existing today "originated in our history of inequality, which was based on philosophies of white and male supremacy". These philosophies were built into "operations of organizations and their supporting social structures (such as education, employment, housing and government" and thus became widespread and entrenched in our society. Mr. Bennett ought to be aware that institutional and systematic discrimination cannot adequately be addressed with anti-discrimination remedies that insist on "color, religious, or six blindness". These remedies are not, as Mr. Bennett feels, "intrinsically just and legally appropriate". It may be the case that gender and/or color neutrality will control certain prejudiced conduct, but as the report points outs, it will prove ineffective against the widespread systemic and institutional processes that transform such "neutrality" into discrimination. Affirmation action, as in the medical analogy, is the treatment responding to discrimination as a "self-sustaining process and [thus] dismantles it". It is an effective solution.

Finally, Mr. Bennett's disdain for affirmative action requirements and his refusal to set goals, targets and objectives as verifiable measurements of equitable hiring practices, appears to be based on a peculiar and self-righteous moral stance, thus leading us to believe that he will be less than conciliatory and open to both the needs of Hispanics and those of other racial and ethnic minorities.

To reiterate, Mr. Bennett has claimed that he violated no law, per se. Yet

110 Federal agencies complied with the EEOC order without complaint. As the head of a large Federal agency, the National Endowment for the Humanities, Mr. Bennett had the responsibility to vigorously oversee and direct the dismantling of any discriminatory employment practices existing at the agency. Unfortunately, because there are no sanctions written into the law, Mr. Bennett may be correct when he stated that he was not "legally" bound to follow EEOC guidelines. Yet he was morally bound to uphold the "spirit" of the law, if not the "letter". We fear that in refusing to aid in the "dismantling" of the process of discrimination by complying with the law he has seriously undermined the effectiveness that affirmative action policies could have had not only at the NEH but elsewhere as well. When Mr. Bennett becomes the new Secretary of Education, will he continue to ignore long-standing and widely-accepted affirmative action principles in pursuit of his own ideological objectives?

THE MEETING OF MR. BENNETT WITH CONSERVATIVE GROUPS

LULAC reacted with dismay when it learned that the Secretary-nominee had, at the initiation of the White House, discussed the next educational and administrative agenda with the Committee for the Survival of a Free Congress, an umbrella organization consisting of about a dozen conservative lobbying groups, including the Heritage Foundation and the American Enterprise Institute.

This is an absolutely unprecedented move in the history of confirmation hearings. LULAC is very concerned that not only has Mr. Bennett met with ideological groups prior to his confirmation — in principle, a violation and disregard of the integrity of the confirmation process — but he has met with groups historically opposed to education policies which increase grants and loans to needy students.

LULAC would like to be reassured that Mr. Bennett is entering the Reagan Administration without ideological bias.

Does he in fact have a conservative Republican agenda, rather than one which is non-partisan and objective? Has he made compromises or commitments to the groups with which he met? Ultimately, since Mr. Bennett is in the habit of setting precedents, i.e., his refusal to comply with EEOC statutes, has he set another with this latest action? LULAC emphasizes the importance of advocating on behalf of different approaches to education; approaches that are non-partisan and take into consideration the needs and concerns of both minority and majority members of society, both of whom have a critical interest in promoting quality education for their children.

Finally, LULAC is eager to hear Mr. Bennett's opinion on President Reagan's apparent desire to abolish to Department of Education, for which Mr. Reagan feels there is "no need", and further, that it "serves no useful purpose" (Washington Post, November 21, 1984).

MR. BENNETT'S "WESTERN CIVILIZATION" ORIENTATION

LULAC, like other organizations representing minority interests, is disturbed by the obvious "Western" bias of Mr. Bennett. He was recently quoted in the Washington Post (January 11, 1985) as promoting the culture and literature of the West:

> "...We are a part and a product of Western civilization. The core of the American college curriculum — its heart and soul — should be the civilization of the West, source of the most powerful and pervasive influences on America and all of its people. It is simply not possible for students to understand their society without studying its intellectual legacy."

As inheritors of the tradition, thought and values of Western Europe, we share with other Americans the belief in the need to learn and understand the works of the great thinkers of the past, who so richly endowed our culture and heritage with philosophy and ideas. Yet Western Europe is merely one continent on the globe; the melting pot of North America also has its roots in the cultures of the East, of Africa, of the Pacific, and finally, of the rest of the Western Hemisphere — Central and Latin America. Would the Secretary-nominee suggest with his statement that the contribution and influence of other parts of the world are somehow less important, albeit less pervasive?

In conclusion, LULAC would like to remind Mr. Bennett, and other educational policy makers, that many Hispanic-Americans, although they may trace their ancestry to the Spanish empire, have deep indigenous roots as well, and are the inheritors of legacies and traditions vastly different from those of the West. LULAC also wishes to point out that American identity, as originally perceived by the framers of the Constitution, was not based on national, linguistic, religious or ethnic background, but on the individual's commitment to the American principles of government. The Harvard Encyclopedia of American Ethnic Groups, in an article entitled "American Identity and Americanization" (Stephan Thernstrom, Ed., Harvard University Press, 1980, page 56), refers to this philosophy:

> "...American nationality was not simply "Wasp Ethnicity" writ large. On the contrary, it was regarded as something novel and distinctive, it was oriented toward the future rather than the past; and, most important, it rested on a commitment to universalist political and social principles rather than on particular cultural features such as language, religion, or country or origin..."

Thank you very much for the opportunity to present our views and concerns to this distinguished body.

ATTACHMENT A

But Mexican American and Anglo voters differ in their views of how to handle the problems associated with immigration. A slight majority of Mexican American voters favor an amnesty program so that illegal immigrants presently in the U.S. can remain here legally, whereas a majority of Anglo voters oppose such a program. Mexican American voters were almost evenly divided on the issue of employer sanctions, but Anglo voters strongly favor such sanctions.

MEXICAN AMERICAN AND ANGLO VOTERS VIEWS ON THE ISSUES

ISSUE	MEXICAN AMERICANS			ANGLO VOTERS		
	FAVOR	UNSURE	OPPOSE	FAVOR	UNSURE	OPPOSE
BILINGUAL SPEND	77	8	15	39	13	48
E.R.A.	75	14	11	55	9	36
NUCLEAR FREEZE	61	15	24	60	10	30
AMNESTY	51	16	33	35	13	52
EMPL SANCTIONS	42	18	40	66	10	24
TALKS WITH CUBA	40	24	36	49	19	32
REAGANOMICS	37	20	43	64	11	25
DEFENSE SPEND	36	18	46	54	13	33
CUBA RELATIONS	34	28	38	38	25	37
DOMESTIC CUTS	21	15	64	35	18	47
EL SALVADOR AID	17	22	61	24	17	59
NICARAGUA REBELS AID	15	23	62	22	19	59

SUMMARY AND CONCLUSIONS

The Southwest Voter Texas election day survey of Mexican American voters found that:

- There was a shift toward greater support for President Reagan among Mexican American voters in Texas between 1980 and 1984, but the change was not as great as that among Anglo voters.

- Texas voters were highly polarized along ethnic lines in their choice for President.

- There was a larger percent of new voters among Mexican Americans than among Anglos in all age groups but the youngest.

- The amount of support for Mondale-Ferraro was directly related to age among Mexican American voters: the older the voter, the more likely the support.

- The amount of support for Mondale-Ferraro was inversely related to socioeconomic status: the higher the education and income of the voter, the less the support.

- Crossing party lines to vote for President Reagan was less characteristic of Mexican American than Anglo Democrats.

- Strength of identification with the Democratic Party is directly related to age and inversely related to socioeconomic

II. The Hispanic Vote By Ancestry

Table 7. Issues	Mexican (N=686)	Puerto Rican (N=515)	Cuban/CA/SA * (N=62)
a. The Equal Rights Amendment (ERA), a constitutional amendment to give wom equal rights under law			
Favor	72.9%	69.3%	48.4%
Oppose	12.7	16.5	33.9
Not sure	14.4	14.2	17.7
b. The economic program of the current administration			
Favor	25.8%	31.6%	32.8%
Oppose	52.5	48.5	45.9
Not sure	21.7	19.9	21.3
c. Increased defense spending			
Favor	26.3%	30.5%	32.8%
Oppose	55.9	53.7	52.5
Not sure	17.9	15.8	14.8
d. Increased spending on bilingual programs for children in public schools			
Favor	80.2%	73.9%	58.1%
Oppose	11.0	15.0	21.0
Not sure	8.8	11.1	21.0
e. Cuts in social programs to reduce federal budget deficit			
Favor	19.3%	20.1%	19.1%
Oppose	64.0	62.8	66.7
Not sure	16.8	17.1	14.3
f. More military aid to the government in El Salvador			
Favor	17.3%	21.2%	22.6%
Oppose	62.1	54.1	38.7
Not sure	20.6	24.7	38.7
g. More military aid to the rebels ("contras") in Nicaragua			
Favor	17.2%	20.1%	17.5%
Oppose	60.8	54.2	47.6
Not sure	22.0	25.8	34.9
h. A verifiable freeze on the production of nuclear weapons if the Sovie Union agrees to do the same			
Favor	59.0%	50.4%	54.0%
Oppose	27.0	28.2	23.8
Not sure	14.0	21.4	22.2

TABLE 3. VIEWS ON ISSUES BY HISPANIC SUBGROUP AND LOCALE -1984

	TEXAS MEXICAN	MIAMI CUBAN	L.A. MEXICAN	N.J. CUBAN	N.Y.C. CUBAN	N.Y.C. DOMINICA	N.Y.C. P.R.
ERA							
Favor	74.7	58.9	76.0	66.7	78.2	83.7	80.2
Oppose	11.2	25.1	14.2	16.3	3.8	6.2	7.7
Not Sure	14.2	16.1	9.8	17.1	17.9	10.0	12.1
REAGONOMICS							
Favor	36.7	87.2	35.6	82.8	53.8	41.4	34.3
Oppose	42.9	6.0	48.9	11.5	30.8	39.4	45.1
Not Sure	20.4	6.8	15.5	5.7	15.4	19.2	20.5
INCR DEFENSE							
Favor	35.7	86.3	32.4	73.2	57.1	34.6	46.6
Oppose	46.1	7.8	57.1	15.4	33.8	51.7	37.0
Not Sure	18.2	5.9	10.5	11.4	9.1	13.7	16.5
INCR BILINGUAL							
Favor	77.5	90.8	73.1	79.2	79.5	91.0	91.5
Oppose	14.4	4.5	20.6	10.4	12.0	3.3	5.6
Not Sure	8.1	4.7	6.3	10.4	8.4	5.7	2.9
SOC PROGR CUTS							
Favor	19.3	33.0	13.5	25.0	23.4	16.5	14.4
Oppose	65.0	51.5	76.7	50.0	67.5	71.4	75.1
Not Sure	15.7	15.5	9.9	25.0	9.1	12.1	10.5
MORE FOR EL SALVADOR							
Favor	16.7	76.7	12.2	62.5	51.3	30.6	31.4
Oppose	60.9	11.7	77.0	16.7	37.5	51.5	46.2
Not Sure	22.4	11.7	10.8	20.8	11.3	18.0	22.3
MORE AID FOR CONTRAS							
Favor	14.4	76.1	13.8	56.6	48.1	22.3	19.9
Oppose	62.3	12.1	72.8	23.8	34.2	60.7	56.2
Not Sure	23.3	11.8	13.4	19.7	17.7	17.0	23.9
BILATERAL FREEZE							
Favor	59.8	72.0	61.7	68.3	81.8	73.5	66.4
Oppose	24.5	19.6	26.6	21.1	9.1	15.7	20.2
Not Sure	15.7	8.3	11.7	10.6	9.1	10.8	13.2
EMPLOYER SANCTIONS							
Favor	41.2	49.2	43.0	29.2	30.4	19.7	33.2
Oppose	40.3	33.0	44.8	50.0	54.4	68.3	51.6
Not Sure	18.5	17.9	12.1	20.8	15.2	12.0	15.2
AMNESTY							
Favor	52.0	85.8	52.5	78.9	82.5	91.8	73.3
Oppose	31.0	5.3	39.2	9.8	10.0	4.8	15.6
Not Sure	17.0	8.8	8.3	11.4	7.5	3.4	10.9
RELATIONS WITH CUBA							
Favor	34.0	18.5	29.2	22.8	54.4	47.7	41.4
Oppose	37.2	74.0	49.8	63.9	38.0	26.6	39.2
Not Sure	28.8	7.6	21.0	11.4	7.6	25.6	19.4
TALKS WITH CUBA							
Favor	39.7	25.7	37.4	38.2	70.4	69.1	55.6
Oppose	35.5	66.7	45.2	55.3	23.5	11.1	28.6
Not Sure	24.8	7.7	17.4	6.5	6.2	19.8	15.7
NUMBER	(1512)	(390)	(223)	(128)	(79)	(209)	(1103)

With that, we will recess the committee until further notice.

[Whereupon, at 4:52, p.m., the committee recessed, to reconvene subject to the call of the Chair.]

○